

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

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**CIVIL APPLICATION 1968 OF 2019
IN
WRIT PETITION 6220 OF 2003**

Ashok Vishnu Jachak

.. Applicant

In the matter between

1. Harishchandra Sadashiv Pimple
since deceased through his Legal heirs

1a) Smt. Indumati Harishchandra Pimple & Ors. .. Petitioners

Versus

Ashok Vishnu Jachak & Ors.

.. Respondents

Mr.A. A. Garge for the applicant.

**CORAM : ROHIT B. DEO, J.
DATE : 8th JUNE 2022**

P.C.:-

. This application is preferred for recalling/review of the order dated 17.10.2013 in Writ Petition 6220 of 2003.

2. According to the applicant, while this Court upheld and confirmed the order of the trial Court of directing return of plaint under Order VII Rule 10 of the Civil Procedure Code, 1908, in concluding paragraph of the order impugned, this Court observed that the trial Court is directed to decide the suit and dispose of the same as early as possible. According to the learned counsel, the said sentence/observation

can lead to unnecessary confusion and complication.

3. The observation that the trial Court shall decide the suit expeditiously, obviously and logically, refers to fresh proceedings post the return of plaint order. Subject to such clarification, the civil application is disposed of.

ROHIT B. DEO, J.