

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

CIVIL REVISION APPLICATION 279 OF 2022

Shri Arun Buwaso Suryavanshi ...Applicant
vs.
Shri SubhashNamdev Suryavanshi & Ors. ...Respondents
Mr.Siddharth C. Wakankar for Applicant.

CORAM : ROHIT B. DEO, J.

DATED : 1 JULY 2022

P.C. :

1. By the order impugned, the learned Civil Judge, Junior Division, Baramti has rejected an application purportedly filed under the provisions of Order 7 Rule 11 of the Code of Civil Procedure, 1908 (Code).
2. The application is filed on the premise that since, the plaint in essence, challenges the order rendered by the authorities is under the Mamletdar Courts Act, it is the Court of Civil Judge, Senior Division, which has the jurisdiction to entertain and try the suit. Reliance is placed on the provision of Section 32(2) of the Maharashtra Civil Courts Act.
3. Perusal of the plaint reveals that the officers of the State Government are not parties to the suit. *Prima facie*, the provision on which reliance is placed does not come into play.
4. Whether the officers ought to have been joined as parties is an independent aspect and the same can be considered by the trial Judge at an appropriate stage.

5. Subject to what is observed supra, no interference is necessary in the order impugned.

6. The CRA is disposed of.

(ROHIT B. DEO, J.)