

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CIVIL REVISION APPLICATION NO. 84 OF 2022

Jayashree Ajaykumar Morayya Vs. The Stte of Maharashtra and ors

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Mr. S.G.Jagtap, Advocate for applicant
Mrs.M.M.Barabde, AGP for respondent Nos. 1 to 3.

CORAM : AVINASH G. GHAROTE, J.

DATE : 17/08/2022

1] After hearing for some time, when the Court was not inclined to interfere, since the plaint cannot be rejected partly against the Respondent Nos.1 to 3, Mr. Jagtap, learned counsel for the applicant, upon instructions of the applicant, who is present in the Court, seeks to withdraw the civil revision application with liberty to avail whatever remedy is available according to law, as he contends that the remedy under Order VII Rule 11(a) of the CPC is still available to him.

2] The statement is accepted. The civil revision application is dismissed as withdrawn.

3] The availability of remedy under Order VII Rule 11(a) of the CPC is an independent issue, which has never been the subject matter of this application, and therefore in case such a remedy is available, it would be a choice of the applicant whether to avail it or not.