

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

WRIT PETITION NO.7161/2022

Smt. Sumitrabai w/o Suresh Sonare and another
 vs.
 Shri Hanumantrao s/o Vithalrao Bhoyar

 Office Notes, Office Memoranda of
 Coram, appearances, Court's Orders
 or directions and Registrar's order

Court's or Judge's Order

 Shri Manish Shukla, Advocate for petitioners.

CORAM :- A.S.CHANDURKAR AND ANIL L.PANSARE, JJ.
DATE :- NOVEMBER 22, 2022

The petitioners seek a direction to be issued to the learned Civil Judge, Senior Division, Nagpur to decide the application preferred by the petitioner for setting aside the order dated 19.07.2022 passed below Exhibit 25. According to the petitioner if the other application filed by the decree holder seeking possession of the suit land is decided, the proceedings would be rendered infructuous.

We find that such request is required to be made before the trial Court and if that request is not considered favourably, the petitioner can seek further remedy. Hence with liberty to the petitioner to make such request to the trial Court to decide the petitioners application prior in time, the writ petition is not entertained and it is disposed of as such. No costs.

All questions raised in the writ petition are kept open.

(ANIL L.PANSARE, J.)

(A.S.CHANDURKAR, J.)

Andurkar..