

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

WRIT PETITION NO. 9058 OF 2023

**SHARDABAI SHRIPATIRAO GAIKWAD
VERSUS
RAMRAO MANIKRAO JAGAMPALLE AND ANOTHER**

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Advocate for Petitioner : Mr. Gastgar Santosh B.

Advocate for Respondents : Mr. H.V. Patil

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CORAM : SHAILESH P. BRAHME, J.

DATE : 1st NOVEMBER 2023

PER COURT :

1. The writ petition is directed against an order of return of plaint, allowing application under Order VII Rule 11. It amounts to decree under Section 2 (2) of Civil Procedure Code. Hence the writ petition is not maintainable.
2. The writ petition is disposed of with liberty to the petitioner to avail appropriate remedy.
3. The delay in prosecuting the petition is directed to be taken into account if ever any proceedings are filed.

[SHAILESH P. BRAHME, J.]