

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

WRIT PETITION NO. 1807 OF 2020

Suman Sahebrao Dongare and others .. Petitioners

Versus

Govindrao Santram Tokale .. Respondent

Shri S. B. Bhapkar, Advocate for the Petitioners.

Shri T. G. Gaikwad, Advocate for the Respondent.

CORAM : SHARMILA U. DESHMUKH, J.

DATE : 10TH JANUARY, 2023.

FINAL ORDER :

. Heard the learned counsel for the petitioner.

2. The petitioner is aggrieved by the order of 23rd August, 2019 passed by the Civil Judge Senior Division, Ambajogai thereby rejecting petitioners' application for framing an additional issue of jurisdiction.

3. Learned counsel for the petitioners submits that, the Civil Court does not have the jurisdiction as the suit land falls in the command area under the provisions of the Maharashtra Project Affected Persons Rehabilitation Act.

4. Perused the written statement filed by the petitioners. No such objection on the ground of jurisdiction has been raised by

the petitioners in their written statement and in absence of any such pleadings raising on objection as to the jurisdiction, the Trial Court has rightly rejected the application. As such there is no infirmity in the impugned order. The writ petition is devoid of merits and same is accordingly dismissed.

[SHARMILA U. DESHMUKH, J.]

bsb/Jan. 23