

VRJ

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

WRIT PETITION NO.12677 OF 2023

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Babaso Sidagonda Patil

... Petitioner

V/s.

Mahindra Rural Housing Finance Ltd.

... Respondent

Mr. Satish Kumbhar for the petitioner.

Mr. Chetan C. Agrawal with Mr. Sachin Pawar for the
respondent.

CORAM : AMIT BORKAR, J.

DATED : OCTOBER 19, 2023

P.C.:

1. By the impugned order, application under Order 7 Rule 11 of the Civil Procedure Code, 1908, is allowed. Such order has force of a decree. Remedy of aggrieved party is to file appeal under section 96 of the Civil Procedure Code, 1908. Hence, writ petition cannot be entertained. However, it will be open for the petitioner to file statutory appeal against the impugner order.

2. The writ petition is dismissed. No costs.

(AMIT BORKAR, J.)