

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

Writ Petition (WP) No. 480 of 2020

True Fit Engineering Private Limited through the Managing Director Shri
Sudhakar K. Bangera

Versus

Manoj Trading Company Partnership firm through Mahendra S/o
Bhavarilal @ Bhawarlal Mor

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

Court's or Judge's Order

Ms. J.R.Damodar, Advocate h/f Shri A.S.Londhe,
Advocate for the petitioner
Ms. A.S.Sharma, Advocate h/f Shri J.M.Gandhi,
Advocate for the respondent.

**CORAM : ANIL S. KILOR, J.
DATED : 23rd JANUARY, 2023.**

In this writ petition, the order below Exh.12 dated 23rd September, 2019 passed by the learned 7th Joint Civil Judge, (Junior Division), Akola in Regular Civil Suit No. 369 of 2016 rejecting the application Exh.12 is under challenge.

2. After going through the impugned order and the provisions of Section 9-A of the Code of Civil Procedure which was subsequently deleted by the ordinance of amendment 2018, it is clear that on the

date of filing of application Exh.12, there was no interim application pending filed by the plaintiff.

3. In the circumstances, the learned trial Court has rightly recorded that the application under Section 9-A of Code of Civil Procedure is not maintainable.

4. In that view of the matter, I do not find any merit in the present petition. Accordingly, the writ petition is dismissed.

5. The learned trial Court is directed to expedite the trial at the earliest.

[ANIL S. KILOR, J.]

Digitally signed
by
SACHINDANAND
K NAIR
Date: 2023.02.01
18:41:37 +0530