



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

Writ Petition (WP) No. 5795 of 2023

Vijay S/o Pandhari Keddar
Versus
Ramesh S/o Gangaram Kawale

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

Court's or Judge's Order

Shri D.C.Chahande, Advocate for the petitioner.

CORAM : ANIL S. KILOR, J.
DATED : 6th SEPTEMBER, 2023.

The Regular Civil Suit No. 317 of 2011 came to be disposed of by the 7th Joint Civil Judge, Junior Division, Nagpur vide order dated 30th October, 2014, on the ground that despite the sufficient opportunity given to the plaintiff no valuation of the suit was made as per order dated 12th September, 2014.

2. The appeal was preferred against the said order and in the said appeal, application Exhibit 20 was moved under Section 149 of the Code of Civil Procedure for grant of permission to deposit court fee of Rs. 4130/-, which came to be rejected on the ground that unless the appeal is decided on merit as regards the rejection of plaint, such permission cannot be granted.

3. I do not find any error committed by the learned Lower Appellate Court in rejecting the application Exhibit 20. Accordingly, the writ petition is dismissed.

[ANIL S. KILOR, J.]