



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

Writ Petition No.5455 of 2023

Harshal s/o Mahadev Kakde vs. Smt. Yogita w/o Harshal Kakde

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

Court's or Judge's Order

Shri M.L. Wankhade, Advocate for the Petitioner/s
Shri A.B. Moon, Advocate for the respondent-sole

CORAM : ANIL S. KILOR, J.

DATE : 07.09.2023

1. The order below Exh.13 dated 16.06.2023, rejecting the application filed by the defendant under Order VII Rule 11(a) of the Code of Civil Procedure (CPC) for seeking rejection of petition on the ground that different cause of action shown in paragraph 23 of the plaint, is under challenge in the present petition.
2. The learned Family Court-4, Nagpur, while rejecting the application, has categorically observed that, the cause of action has been disclosed by the petitioner and therefore, there is no merits in the application, seeking rejection of petition on the ground of different cause of action shown in paragraph 23 of the plaint.
3. The learned counsel for the petitioner has failed to point out any illegality committed by the learned trial Court in rejecting the application filed by the petitioner under Order VII Rule 11(a) of the CPC.

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

[ANIL S. KILOR, J.]