



IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

15 WRIT PETITION NO. 5621 OF 2024

Deelip Damodhar Alias Vasantrao Ranade
& others

....Petitioners

VERSUS

Ashok Damodhar Alias Vasantrao Ranade
& others

.....Respondents

.....

Mr. D. K. Kulkarni, Advocate for the Petitioner

CORAM : R. M. JOSHI, J.

DATE : 18th JUNE, 2024.

PER COURT :

1. The Petitioners are not challenging any order passed by the learned Trial Court. Learned counsel for the Petitioners submits that the Petitioners seek to raise challenge to the maintainability of the proceeding i.e. Civil Misc. Application No. 420/2021 and Regular Civil Suit No. 870/2021.

2. It is always open for any party to raise objection with regard to the maintainability thereof before the concerned Court. This court is informed that such application is filed before the concerned Court. If it is so, it is for the Petitioners to pursue such

application and not to file petition challenging maintainability of the proceedings before this Court. Hence, there is no merit in the Petition. The Petition is dismissed. It is however open for the Petitioners to press such application before the Court below.

(R. M. JOSHI)
Judge

dyb