



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

937 CRA NO. 40 OF 2024

**RAMESH HEMCHAND SHAH
VERSUS
SUREKHA SHARAD SHAH AND OTHERS**

...
Mr. Shah Subodh P., Advocate for the Petitioner
Mr. S. V. Suryavanshi, Advocate for Respondent Nos.1 & 2

....

CORAM : SANDIPKUMAR C. MORE, J.

DATED : 28/08/2024.

P. C. :

1. Heard rival submissions at admission stage.
2. The learned counsel for the applicant/ defendant No.2 submits that the only issue which he wants to agitate at this stage is the issue of valuation of the suit. According to him, the applicant had placed before the learned trial court the valuation report of the suit property showing its market value to the tune of Rs.45,00,000/- but the plaintiffs have valued the suit to the tune of Rs.23,00,000/-. Admittedly, there is no discussion in the impugned order in respect of the valuation report filed the applicant. However, it was told that the learned trial court has already framed issues and the suit is fixed for evidence. Both the

learned counsel admitted that the issue in respect of valuation of suit is already framed. As such, the same can be decided alongwith the other issues. In view of the same, the present civil revision application stands disposed of at admission stage.

3. The other grounds on which the applicant is claiming rejection of the plaint, be kept open during the trial.

(SANDIPKUMAR C. MORE, J.)

VS Maind/-