

HARSHADA H. SAWANT
(P.A.)

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

INTERIM APPLICATION NO.2226 OF 2023
IN
CIVIL REVISION APPLICATION (ST.) NO.5597 OF 2023

Ranjan Bhausaheb Dombhe

.. Applicant

Versus

The State of Maharashtra and Ors.

.. Respondents

-
• Ms. Manisha Devkar, Advocate for Applicant.
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CORAM : MILIND N. JADHAV, J.

DATE : FEBRUARY 26, 2024

P.C.:

- 1.** Mentioned out of turn. Taken up for hearing at the time of rising.
- 2.** Heard Ms. Devkar, learned Advocate for Applicant.
- 3.** Interim Application No.2226 of 2023 has been filed for condonation of delay in filing Civil Revision Application.
- 4.** I have perused the Interim Application and for the reasons mentioned therein and more specifically in paragraph No.5, the Interim Application stands allowed in terms of prayer clause (a). Delay of 110 days stands condoned. Interim Application is disposed.
- 5.** Civil Revision Application takes exception to the order passed below Exhibit-85. It is at page No.31 of the Civil Revision Application. Application is filed under Order XII Rule 6 of the Civil

Procedure Code, 1908 (for short '**CPC**') in view of specific admission made by the Respondents in the pleadings accepting and admitting the Plaintiff's case.

6. Merely on the basis of denial by the Defendants, the impugned order has been passed.

7. An arguable case has been made out for issuance of notice by Ms. Devkar.

8. Hence issue notice to Respondents. Applicant is directed to serve the Respondents. Humdast permitted. In addition to Court's notice, Applicant is permitted to serve Respondents copy of this order and copy of the Civil Revision Application and inform them about the next date of hearing by any permissible mode of service and file appropriate affidavit of service with tangible proof thereof. Respondents are directed to file Affidavit-in-Reply if so desired to the Civil Revision Application on or before the next date.

9. It is clarified that this Civil Revision Application shall be taken up for hearing on the next adjourned date.

10. Stand over to **18th March, 2024**.

H. H. SAWANT

[MILIND N. JADHAV, J.]

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by HARSHADA
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