

## WRIT PETITION NO. 2424 OF 2005

## Versus

- None for the Petitioners.
- None for the private Respondents.
- Ms. V.S. Nimbalkar, AGP for Respondent No.3.

**DATE : JANUARY 11, 2024.**

**P.C.:**

- 1.** Heard Ms. Nimbalkar, learned AGP for Respondent No.3.  
None for the Petitioners and the private Respondents.

- 2.** On 04.01.2023, this Court passed the following order:-

***“1. Heard Ms. Nimbalkar, learned AGP for Respondent No.3.***

*2. This Petition has been filed in the year 2005. Office report dated 05.10.2023 is that after issuance of rule, notice has not been duly effected and served on Respondents till date despite an interim order dated 19.03.2020 of the Registrar (Judicial-I).*

**3.** *The issue in the Writ Petition pertains to challenge to the order dated 14.02.2005 on the preliminary issue of pecuniary jurisdiction decided by the learned City Civil Court, Mumbai. The learned Trial Court has held that suit has to be valued on the basis of reliefs prayed for by the Plaintiff which are the reliefs seeking declaration alongwith injunction.*

*4. In that view of the matter it was held by the learned Trial Court that suit as filed before the City Civil Court would have no jurisdiction. It is against that order the present Writ Petition has been filed.*

*5. None appears for the parties except the Government Pleader who appears for Respondent No.3. If the same position prevails on the next adjourned date this Writ Petition shall stand dismissed for non-prosecution.*

*6. Stand over to 11<sup>th</sup> January, 2024.”*

**3.** Once again today none appears for the Petitioners and the private Respondents.

**4.** In view of the above, Writ Petition stands dismissed for non-prosecution.

**[ MILIND N. JADHAV, J. ]**

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