

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.9674 OF 2024

1. Vishnu Kashinath Bhoir and Ors. ...Petitioners
(Original Plaintiffs)

Versus

1. The Secretary and Ors. ...Respondents
(Original Defendants)

Mr.Sagar Joshi:-	Advocate for Petitioners.
Mr.Hamid Mulla-AGP:-	On behalf of Respondent Nos.1 to 7 (State).

CORAM : S. M. MODAK, J.

DATE : 25th NOVEMBER 2024

P. C. :-

1. For the reasons recorded separately, which are under typing,
following order is passed:-

ORDER

- (i) Writ Petition is allowed.
- (ii) The order dated 2nd January 2024 passed by the Court of Civil Judge, Senior Division, Kalyan in Regular Civil Suit No.2 of 2023 in *suo motu* exercise is **set aside**.

- (iii) The method of valuation done by the Plaintiffs is proper. If there is any deficit Court fee stamp, the Plaintiffs are directed to pay it within three (3) weeks.
 - (iv) The trial Court is directed to proceed with the Suit.
 - (v) The trial Court is at liberty to decide any objection taken by the Defendants about the valuation in future on merits.
2. In view thereof, the **Writ Petition stands disposed of.**

[S. M. MODAK, J.]