

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
FIRST APPEAL NO.226 OF 2024

Milan Bharat Gupta

..Appellant

Versus

Ila Bharat Gupta & Ors.

..Respondents

Mr. Rajesh Jain a/w Rohit Jain & Neha Doshi i/by Legal Juris, for the Appellant.

Mr. Milan Gupta – Appellant present though VC.

CORAM : KISHORE C. SANT, J.

DATE : 1st MARCH, 2024

PC.

1. Heard for sometime.

2. This Appeal is preferred against order passed by the Trial Court under Order VII Rule 11 of the CPC rejecting the plaint. It is contention of the Appellant that the Court has rejected the plaint even prior to filing of written statement by the Defendants. He relies upon judgment reported in *AIR 1986 Bombay 46* in the case of *Nishit M. Prabhu Verlekar Vs. Chandrakant Vinayak Dhume & Ors.*

3. Issue notice to Respondents, returnable on 12th April, 2024, indicating that in case this Court finds time, matter will be taken up for final disposal at the stage of admission.

4. Appellant is at liberty to serve the Respondents privately in addition to Court notice and file affidavit to that effect.

[KISHORE C. SANT, J.]