

HARSHADA H. SAWANT
(P.A.)

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL REVISION APPLICATION NO.190 OF 2024

Sindhu Balasaheb Wadekar and Ors. .. Applicants
Versus
Sanjay Balgonda Patil .. Respondent

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• Mr. Rahul P. Kasbekar, Advocate for Applicants.
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CORAM : MILIND N. JADHAV, J.

DATE : SEPTEMBER 03, 2024

P.C.:

1. Mentioned. Not on Board. Taken on Board.
2. Heard Mr. Kasbekar, learned Advocate for Applicants.
3. Perused the praecipe dated 03.09.2024 and the Civil Revision Application.
4. Defendants who are Petitioners before me have shown to me that they are owners of part of suit property by a registered conveyance of the year 2004.
5. **PER CONTRA**, pleading in the suit plaint shows that Plaintiff has instituted the suit on the basis of unregistered development Agreement with one Mr. Chakote who is the party with whom Plaintiff has entered into development agreement with respect to the larger portion which includes the Defendants' property.
6. In that view of the matter, an arguable case has been made

out by Mr. Kasbekar for issuance of notice to Respondent.

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

8. In the meanwhile, proceedings before the learned Trial Court shall stand stayed.

9. Stand over to **18th September, 2024.**

H. H. SAWANT

[MILIND N. JADHAV, J.]

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by HARSHADA
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