



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

CIVIL REVISION APPLICATION NO. 469 OF 2024

Mangal M. Bhise and Ors.

...Applicants

vs.

Nanda Uttam Shinde and Ors.

...Respondents

Adv. Namit Kumar S. Pansare i/by Adv. Drupad S. Patil	Advocate for the Applicants
None for the Respondent	

CORAM : S. M. MODAK, J.

DATE : 03rd DECEMBER 2024

P.C. :-

1. Not on board. Taken on board by way of Praecipe moved on behalf of the Applicants-Defendants.
2. Their application for rejection of the plaint as per the provision of Order VII Rule 11 of the Civil Procedure Code was rejected. When this application was mentioned on 18.07.2024, this Court has stayed further hearing of the suit.
3. It is submitted that present Respondents/Plaintiffs were served of the Court notice, however they have not appeared. Now revision is

fixed on 29.01.2025. But the Applicants contend that the order of the stay is coming in the way of further proceeding of the suit and the Applicants are desirous of proceeding with the suit.

4. In view of the same the order staying the proceeding is recalled.
5. **Let the trial Court to go on with the hearing of the suit as per the merits.**
6. No observations about the merits of the case.
7. Let matter be listed on **29th January 2025.**
8. Even the Applicants are permitted to serve the Respondents by private notice and also file pursis before the trial Court. So that the Plaintiff therein will get notice of filing of this application and to file affidavit on the next date.

[S. M. MODAK, J.]