

HARSHADA H. SAWANT
(P.A.)

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL REVISION APPLICATION NO.542 OF 2024

Panvel Dawoodi Bohra Masjid & Cemetary Trust .. Applicant

Versus

Vinod Premji Shah and Ors.

.. Respondents

-
- Mr. Rohan Savant i./by Mr. Idris M. Vohra, Advocate for Applicant.
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CORAM : MILIND N. JADHAV, J.

DATE : OCTOBER 16, 2024

P.C.:

- 1.** Mentioned. Not on Board. Taken on Board.
- 2.** Heard Mr. Savant, learned Advocate for Applicant.
- 3.** Perused the praecipe dated 16.10.2024 and the Civil Revision Application.
- 4.** The present Civil Revision Application takes exception to the order dated 29.08.2024 of rejection of Application below Exhibit-30 in Waqf Suit No.127 of 2024 for rejection of plaint under Order VII Rule 11 of the Code of Civil Procedure, 1908 (for short '**CPC**') read with Section 151 of the CPC. The hearing in the proceeding is going on as informed by Mr. Savant. The next hearing is slated for tomorrow.
- 5.** According to Revision Applicant, it is averred that Plaintiffs have filed a suit for injunction, possession and damages before the Tribunal without paying appropriate Court fees and according to the

Revision Applicant they are not having any *locus standi* to file the same.

6. It is also averred in the praecipe that matter was mentioned before my predecessor (Coram : R. M. Joshi, J.) on 25.09.2024 and it was directed to be listed on 14.10.2024. Copy of this Civil Revision Application has been served on Respondents as stated in the praecipe.

7. The learned Tribunal is directed to defer the hearing of proceedings tomorrow in order to enable this Court to consider Civil Revision Application on the next adjourned date. Copy of this order shall be served on Respondents by the Advocate for Revision Applicant so as to ensure that Respondents are intimated about the next date of hearing in the present matter and present order.

8. Stand over to **23rd October, 2024.**

H. H. SAWANT

[MILIND N. JADHAV, J.]

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