



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

WRIT PETITION NO.891 OF 2024

Sanjay Shalikram Waghmare .Vs. Vijay Shalikram Waghmare

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Shri Y.P. Kaslikar, Advocate for petitioner.

CORAM : ANIL S. KILOR, J.

DATED : 07/02/2024

1. The order dated 07.12.2023 passed below Exh.57 rejecting the application filed under Order 47 Rule 1 of the Code of Civil Procedure by the Jt. Civil Judge (Sr. Dn.), Amravati in Spl. C.S. No.908 of 2022, is under challenge in this writ petition.

2. It is the case of the petitioner that, as per the private valuer, the valuation of plot in question is Rs.64,50,000/- whereas, it has wrongly shown as Rs.25,00,000/- and therefore, the suit is under valued. He, therefore, prayed for rejection of the plaint.

3. The said prayer has been denied by the learned trial Court on the ground that, as per the government assessment of land revenue, the valuation is proper and therefore, private valuer report cannot be considered.

4. Admittedly, the valuation on which the petitioner is relying upon is not as per the ready reckoner and it is not issued by the Revenue Officer. Therefore, the learned trial Court has found that the valuation of the plaintiff was correct and the application was rightly rejected.

5. In light of the above observations, the writ petition is **dismissed**.

JUDGE