



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

CIVIL REVISION APPLICATION (CAC) NO.125 OF 2023

(Bhimrao Nimbaji Jadhav Vs. Arjun s/o Nimbaji Jadhav and others)

*Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's Orders.*

Court's or Judge's orders.

Mr. Nikhil Waghmare, Advocate h/f Mr. P. B. Patil, Advocate for Applicant.

CORAM: G. A. SANAP, J.

DATE: 9th AUGUST, 2024.

Heard.

2. Learned Advocate for the applicant submits that the defendant has denied the valuation of the suit for the court fees in his written statement. It is pointed that the rejection of the plaint was sought on the ground of improper valuation of the suit for the purpose of court fees by the plaintiff.

3. Learned Advocate submits that his purpose will be served if the learned Judge is directed to frame issue on the basis of the pleading with regard to the valuation of the suit for the purposes of court fee and to conduct the necessary inquiry as contemplated under the Maharashtra Court Fees Act, 1905. As far as this aspect is concerned the learned Judge is duty bound to frame issue.

4. Learned Advocate therefore, seeks leave to withdraw this application with liberty to raise the

contention before the trial court. The application stands disposed of as withdrawn. The learned Judge shall frame proper issue as to the valuation of the suit and decide it in accordance with law.

(G. A. SANAP, J.)

NSN