



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

WRIT PETITION NO.7155 OF 2024

(Sau. Yamuna w/o Narendra Jetha, thr. her Power of Attorney Shri Narendra s/o
Govindlalji Jetha Vs. Ajay s/o Balkrishna Petkar 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. Chandiram F. Bhagwani, Advocate for Petitioner.

CORAM: N. R. BORKAR, J.

DATE: 11th DECEMBER, 2024.

This petition takes exception to the order dated 07.08.2023 passed by the learned Civil Judge, Senior Division, Nagpur below Exh.8 in Special Civil Suit No.868/2023.

2. By the order impugned the learned trial court has allowed the review application filed by respondent no.1 and directed that the suit filed by the respondent no.1 be registered.

3. I have heard the learned counsel for the petitioner. The learned counsel for the petitioner submits that by order dated 07.08.2023, the permission sought by respondent no.1 to register the suit in absence of notice under Section 487 of the Maharashtra Municipal Corporation Act was refused. It is submitted that in absence of any apparent error in the said order, the learned trial court erred in reviewing the said order.

4. I am not inclined to entertain the present petition against the impugned order. However, it would be open to the present petitioner to raise the issue of maintainability of the suit before the learned trial court.

5. The writ petition is disposed of in the aforesaid terms.

(N. R. BORKAR, J.)