



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

CIVIL REVISION APPLICATION NO. 69 OF 2024

Shakuntala Wd/o. Ramkuber Tripathi and others

Vs.

Hirenddra Onkarprasad Gautam and others

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

Court's or Judge's Order

Shri K. S. Narwade, Advocate for applicants.

CORAM :- M. W. CHANDWANI, J.

DATED :- 15.04.2024

Heard.

2. The revision application challenges the order dated 11.03.2024, passed below Exh. 20, in Regular Civil Suit No. 504/2023 by the learned Civil Judge Junior Division, Akola thereby rejecting the application of the applicants under Order 7, Rule 1 of the Civil Procedure Code for rejection of the plaint.

3. The contention is that the suit is hopelessly barred by the limitation as well as the issues in the present suit have already been decided in the earlier suit. It is further contended that inspite of the fact that the plaintiff in the earlier suit was served with copy of the plaint, the Trial Court hold that said suit was not decided on merits because the plaintiff had not filed the written statement.

4. Issue notice to the non-applicants, returnable in two weeks.
5. The Trial Court shall not proceed in the matter till the next date of hearing.

(M. W. CHANDWANI, J.)