



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

903 WRIT PETITION NO. 6804 OF 2025

NANURAM RUPARAM JANGID

VERSUS

ANANDA SHENPADU PATIL AND OTHERS

...

Advocate for the Petitioner : Mr. Sawant Amol Shivajirao

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CORAM : ARUN R. PEDNEKER, J.

DATE : 10.12.2025

PER COURT:

1. Heard.

2. The learned counsel for the petitioner submits the plaint is barred by limitation and that the petitioner has erroneously applied to formulate the preliminary issue of jurisdiction and the court has rejected the same on the ground that it would a mixed question of fact and law.

He further submits that, the application ought to have been filed under Order VII Rule 11 of the CPC and seeks liberty to file application under the above referred Order and Rule.

3. In view of the above submissions, the petitioner is permitted to file an application under Order VII Rule 11 of CPC, as is available in law. In the event, such an application is filed, the concerned court would decide it in accordance with law and

without being influenced by any observations made hereinabove.

All contentions are left open.

4. The Writ Petition stands accordingly disposed of.

[ARUN R. PEDNEKER, J.]

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