MJ Jadhav

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL REVISION APPLICATION NO. 398 OF 2022

Rashmi Suresh Tendulkar Alias Rashmi Tendulkar Samant … Applicant

Vs.

Muralidhar Keshav Matkari And Ors. … Respondents

Mr. Manish Pabale for the Applicant.

CORAM : GAURI GODSE, J.

DATED : 24th NOVEMBER 2025

MANGALTAI JAYWANT JADHAV
Digitally signed by MANGALTAI JAYWANT JADHAV
Date: 2025.11.25 15:04:55 +0530

ORDER:

1. Learned counsel for the applicant submits that the plaintiffs have carried out amendment to the suit seeking a prayer for possession. He submits that initially the suit was for injunction on the ground that plaintiffs are in possession. He further points out that the plaintiffs are claiming to be tenants of defendant nos.1 and 2. He submits that in view of the amended plaint, the applicants be granted leave to withdraw this application with liberty to file a fresh application before the trial Court.

2. Learned counsel for the plaintiffs submits that the Civil Court's jurisdiction shall be barred as the plaintiffs are claiming to be tenants in respect of the suit property.

3. The copy of amended plaint is tendered by the learned counsel for the applicant, which is taken on record.

4. The applicants are permitted to withdraw this civil revision application with liberty to file a fresh application under Order VII Rule 11 of Civil Procedure Code before the trial Court in view of the amended plaint.

5. All rival contentions of the parties are kept open.

6. Civil Revision Application is disposed of as withdrawn with the liberty as recorded above.

(GAURI GODSE, J.)