

IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 18577 OF 2024

Rashmi R. Dhuri ...Petitioner

**Versus**

Kalpesh E. Mavlankar ...Respondent

**WITH**

**INTERIM APPLICATION NO. 1900 OF 2025**

Mr. Kumar Ghind, for the Petitioner.

**CORAM: N. J. JAMADAR, J.**

**DATED: 17<sup>th</sup> FEBRUARY, 2025**

**PC:-**

1. Heard the learned Counsel for the petitioner.
2. The challenge in this petition is to an order dated 7<sup>th</sup> May, 2024 passed by the learned Second Joint Civil Judge, Senior Division, Panvel, whereby an application preferred by the petitioner – defendant for rejection of the plaint under Order VII Rule 11 of the Code of Civil Procedure, 1908, came to be rejected.
3. The learned Civil Judge was of the view that the grounds raised in the application for rejection of the plaint do not warrant the rejection of the plaint as those grounds pertain to the merits of the claim of the plaintiff.

4. The learned Civil Judge has taken a correct view of the matter. The submissions sought to be canvassed on behalf of the petitioner touch upon the merits of the claim of the plaintiff. No case for rejection of the plaint under Order VII Rule 11 of the Code is made out.

5. The petition stands dismissed.

6. In view of dismissal of the petition, IA/1900/2025 stands disposed.

**[N. J. JAMADAR, J.]**