



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL REVISION APPLICATION NO.532 OF 2024**

Usha Vijayendranath Kapil and Anr. ... Applicants
versus
Siddharth Vijayendranath Kapil and Anr. ... Respondent

Mr. A.A.Kumbhakoni, Sr. Advocate with Mr. Tejas D. Deshmukh, Mr. Ronak Utagikar, Mr. Sagar Karsija, for Applicants.
Mr. A.R.Avachat with Mr. S.H.Deshpande i/by Mr. Raunik Vankalas, for Respondent No.1.

CORAM: N.J.JAMADAR, J.

DATE : 5 FEBRUARY 2025

P.C.

1. Heard the learned Counsel for the parties.
2. The challenge in this application is to an order dated 15 June 2024 passed by the learned Civil Judge, Pune, whereby the application preferred by the applicant – Defendant No.1 for rejection of the plaint on various grounds came to be rejected.
3. Mr. Kumbhakoni, learned Senior Advocate for the Applicants, submitted that the trial Court has not dealt with the grounds which were specifically urged for the rejection of the plaint, except bar of limitation.
4. From the perusal of the impugned order, the submission, prima facie, carries substance.
5. For the present, issue notice for final disposal to the Respondent No.1, returnable on 26 February 2025.

6. Mr. Avachat waives service of notice on behalf of Respondent No.1.
7. In the meanwhile, there shall be an ad-interim order in terms of prayer clause (d) of the Petition.
8. The Respondent No.1 is at liberty to file an affidavit in reply and serve its copy on the Applicants.

(N.J.JAMADAR, J.)