



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

WRIT PETITION NO.5623 OF 2025

MRS. CHHAKULI D/O SHANKAR MISAL, SAU. SNEHA W/O PANKAJ
GHAIT (NAME OF AFTER MARRIAGE) AND ANOTHER

VERSUS

MR. PRAMOD S/O LAXMANRAO RAI AND OTHERS

Office Notes, Office Memoranda of Coram, Appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders
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Mr. Syed Sufiyan, Advocate for Petitioners.

CORAM : PRAFULLA S. KHUBALKAR, J.

DATED : 01st DECEMBER 2025

PER COURT :-

1. Heard learned Advocate for the petitioners.
2. By this petition, the petitioners have challenged the order dated 25.06.2025, passed by 8th Joint Civil Judge, Senior Division, Yavatmal, in Special Civil Suit No.02 of 2022, at Exhibit 39, by which the trial court has directed that additional issue about limitation be framed and resultantly, issue No.8A is framed as “Whether suit is barred by Limitation ?”.
3. Learned Advocate for the petitioners submits that this issue in fact does not fall for consideration as the suit filed by the petitioners is well within limitation.

4. Having regard to the controversy involved, it is clear that, on the basis of pleadings of the parties, the trial court has framed the issue of limitation particularly by considering the written statement, wherein the defendant has raised an objection that the suit has not been filed within the period of limitation. No perversity is seen in the impugned order and hence, no indulgence is warranted under Article 227 of the Constitution of India. Therefore, the writ petition is dismissed.

5. No order as to costs.

(PRAFULLA S. KHUBALKAR, J.)

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