



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

APPEAL AGAINST ORDER NO. 18 OF 2026

(RAMRAO MAROTI DHANDALE (DEAD) THR. LRS. KAMLABAI W/O RAMRAO DHANDALE
AND OTHERS

VS

GAFFAR ALI MOHAMMAD ALI AND OTHERS)

*Office Notes, Office Memorandum of Coram,
appearances, Court's orders or the directions,
and Registrar's orders.*

Court's or Judge's order

Mr. V.V.Tekade, Advocate for appellants.

CORAM : ROHIT W. JOSHI, J.

DATED : APRIL 01, 2026

- 1) The present appeal is preferred under Section 18C of the Enemy Property Act, 1986. Section 18C of the Act provides that any person aggrieved by an order passed by the Central Government under Section 18 of the said Act may prefer an appeal before the High Court.
- 2) Perusal of the prayer clause in the appeal indicates that the appellant is challenging order dated 23/04/2025, passed by the learned 6th Joint Civil Judge Senior Division, Nagpur on an application below Exh.19 in R.C.S.No.322/2021, whereby learned trial Court has rejected the plaint filed in the said suit.
- 3) The appellant has not assailed the order passed by the Central Government under the Enemy Property Act, 1968, in the present appeal. He intends to challenge the order of rejection of plaint. The order of rejection of plaint is a decree as per Section 2(2) of the Code of Civil Procedure and is appealable under Section 96. The present appeal, which is filed under Section 18C of the said Act, is therefore, not maintainable.

- 4) Accordingly, the appeal is dismissed with liberty to the appellant to take recourse to appropriate proceedings in accordance with law for challenging the order dated 23/04/2025 passed by the learned 6th Joint Civil Judge Senior Division, Nagpur on the application below Exh.19 in R.C.S.No.322/2021.

(ROHIT W. JOSHI, J.)