

ITEM NO.31

COURT NO.5

SECTION IX

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (C) No.27778/2014

(Arising out of impugned final judgment and order dated 20/08/2014
in CRA No.78/2014 passed by the High Court Of Bombay At Nagpur)

KALURAM YESHWANT TODKAR

Petitioner(s)

VERSUS

PRADIPKUMAR BHAWARILAL JAIN AND ORS.

Respondent(s)

(With appln. (s) for exemption from filing c/c of the impugned
judgment and interim relief and office report)

Date : 31/10/2014 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE DIPAK MISRA

HON'BLE MR. JUSTICE UDAY UMESH LALIT

For Petitioner(s) Mr. Manish Pitale, Adv.
Mr. Wasi Haider, Adv.
Mr. Chander Shekhar Ashri, AOR

For Respondent(s)

UPON hearing the counsel the Court made the following
O R D E R

Mr. Manish Pitale, learned counsel for the
petitioner submits that it was obligatory on the part of the
High Court to advert to the controversy whether the learned
trial Judge was justified in dismissing the application filed
by the petitioner under Order VII Rule 11 of the Code of
Civil Procedure, where the question of maintainability of the
suit, as well as the finalization of status of tenancy of the
father of the present petitioner, are involved.

Issue notice, returnable within four weeks.

(Chetan Kumar)
Court Master

(Renuka Sadana)
Court Master

