## IN THE HIGH COURT OF JUDICATURE AT BOMBAY BENCH AT AURANGABAD

## 911 CIVIL APPLICATION NO.1648 OF 2016 IN CRAST/34890/2015

BHIMRAO S/O DEVRAO KALE VERSUS THE DISTRICT COLLECTOR, HINGOLI AND OTHERS

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Advocate for Applicant : Mr. M.P. Kale h/f. Mr. Sukale Prashant H Advocate for the respondents no. 4 to 8 : Ms. Meera L. Bhange h/f. Mr. Shailendra Gangakhedkar

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CORAM : MANGESH S. PATIL, J.

DATE : 9 MARCH 2022

PC:

Learned advocate Mr. Kale for the revision applicant submits that pursuant to the objection being raised on behalf of the respondents regarding maintainability of the revision against the order returning the plaint, he has realized that it is an appeal under section 104 r/w. Order XLIII of the Code of Civil Procedure which would be the appropriate remedy. He seeks leave to convert the proceeding as an appeal from order.

2. Leave is granted.

[ MANGESH S. PATIL ]
JUDGE

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