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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 4388 OF 2023
WITH
WRIT PETITION NO. 11377 OF 2023**

Shree Virupaksha Furu Shree Girswami
Manorkar Math Nashik and Ors ... Petitioners

vs.

Shree Virupaksh Shivcharya Manurkar ... Respondents
Maharaj and Anr

Mr. Gunjan Shah a/w. P.B. Shah, for Petitioners.

Mrs. Sulbha Chipde, AGP for the State.

CORAM : GAURI GODSE, J.

DATED : 18th MARCH, 2024

P.C. :-

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1. Issue notice to respondents, returnable on 6th May 2024.
Learned AGP waives notice for respondent no.1. In addition to Court notice, petitioner to serve the remaining respondents by private notice and file affidavit of service before the next date.

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2. This petition is arising out of order passed by the Civil Court

deciding preliminary issue on jurisdiction in favour of the plaintiff. Pursuant to the administrative order dated 18th August 2023, this petition is listed before me alongwith connected Writ Petition No. 4388 of 2023. The order impugned in the petition is revisable order under section 115 of the Civil Procedure Code.

3. Learned counsel for the petitioners prays for permitting conversion of writ petition into civil revision application. Learned counsel for the petitioners submits that the petition is filed within limitation and if conversion of the writ petition into civil revision application is permitted, revision application will be also within limitation.

4. Petitioners are permitted to convert the writ petition into civil revision application. Amendment to be carried out within two weeks from today. Learned counsel for the petitioners is at liberty to make an application for clubbing the converted civil revision application with Writ Petition No. 4388 of 2023.

(GAURI GODSE, J.)