



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR
WRIT PETITION NO. 1762 OF 2026

Gopal Kashiprasad Borele and anr. Vs. Laxman Rao Kashiprasad Borele

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders.

Mr. S.O. Ahmed, Advocate for petitioners.

CORAM : PRAFULLA S. KHUBALKAR, J.

DATE : 25.02.2026

Heard learned counsel for the petitioners.

2. The petitioners' challenge is to order dated 02.08.2025 passed by the trial Court, by which, the Court has framed preliminary issues under Order XIV Rule 2 of the Code of Civil Procedure in the summary suit which is instituted by the petitioner under Order 37 of the Code of Civil Procedure.

3. Learned counsel for the petitioner submits that although the suit was filed as a summary suit and even before any orders are passed on the application for leave to defend, the trial Court has ordered framing of issues.

4. Issue notice to the respondents, returnable after four weeks.

5. In the meantime, there shall be ad-interim stay in terms of prayer clause (ii).

(Prafulla S. Khubalkar, J.)