

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

**CIVIL REVISION APPLN. NO. 58 OF 2022**

Tushar Anil Agrawal

-Vs.-

Harsh Jawahar Agrawal and another

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

Court's or Judge's Orders.

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Mr.Anurag Mankar, counsel for the applicant.

**CORAM : MANISH PITALE, J.**

**DATE : 11.07.2022**

Heard the learned counsel for the applicant.

2. Issue notice for final disposal, returnable on 19/08/2022.

3. It is contended on behalf of the applicant that in the absence of written contract, the suit filed by the respondents under Order XXXVII of the Code of Civil Procedure could not have been entertained at all by the Court below. Reliance is placed on Full Bench judgment of this Court in the case of **Jyotsna vs. T.S.Parekh & Co.**, reported in **2007 (4) Mh.L.J. 517**.

4. Hence, a *prima facie* case is made out by the applicant.

5. Accordingly, there shall be *ad interim* stay in terms of prayer clause 'c'

**JUDGE**