

Amberkar

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION (ST) NO. 11314 OF 2024

Ganesh Dnyaneshwar Tapkir & Anr. .. Petitioners

Versus

Samasth Gramasth Mandal Baner at Baner .. Respondent

-
- Mr. Sandeep Dinkar Paigude for Petitioners

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CORAM : MILIND N. JADHAV, J.

DATE : APRIL 17, 2024

P. C.:

1. Not on board. Mentioned. Taken on board.
2. Perused the praecipe dated 17.04.2024.
3. Present Writ Petition takes exception to the judgment & order dated 23.02.2024 passed by learned Trial Court in the Application below Exh. 42 in RCS No. 559 of 2023. By the said judgment & order, the Application filed by Respondent (Org. Plaintiff) under O. XXIII, R. 1(3)(a) of the CPC came to be allowed.
4. Heard Mr. Paigude, learned Advocate for Petitioners.
5. Issue notice to the Respondent made returnable on 30.04.2024. Humdast permitted. In addition to Court's notice, Petitioners are directed to serve copy of the Petition along with copy of this order on the Respondent and inform about the next date of hearing by any permissible mode of service and file appropriate affidavit of service

with tangible proof thereof on or before the next date. After receiving the notice, Respondent to file affidavit-in-reply on or before the next date, if so desired with an advance copy to the Advocate for Petitioners.

6. Respondent is directed to remain present either its authorized representative or through Advocate on the next adjourned date. It is made clear that if Respondent remains absent despite service on the next adjourned date, this Writ Petition shall be heard and disposed of at the stage of admission in the absence of the Respondent.

7. Stand over to 30th April, 2024.

[MILIND N. JADHAV, J.]

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