



IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

22 WRIT PETITION NO. 7095 OF 2025

MADHAVESHWARI SAMBHAJIRAO MHASE

VERSUS

RAMESH RAMNATH DUBE PATIL AND ANOTHER

...

Mr. P. V. Barde h/for Mrs. Mate Ashvini R., Advocate for the Petitioner

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CORAM : S. G. CHAPALGAONKAR, J.

DATE : 16.06.2025

PER COURT :-

. Heard Mr. Parag Barde learned Advocate appearing for petitioner.

2. An order setting aside "No W.S." order is subjected to challenge in this writ petition.

3. Mr. Barde submits that respondent appeared in suit on 04.09.2023 and dragged proceeding. Ultimately, on 16.11.2024 No W.S. order was passed. Thereafter, he moved application dated 22.11.2024 seeking to set aside No W.S. order. The learned trial Judge allowed the said application without recording adequate reasons. He would further submit that both parties are conversant with procedure of law. In this background, the Trial Court could not have casually entertained the prayer for setting aside No W.S. order.

4. Considering submissions advanced, issue notice to respondents, returnable on 07.07.2025. Petitioner shall be at liberty to serve respondents by any alternate mode as is permissible under law, in addition to Court service and file affidavit by returnable date.

[S. G. CHAPALGAONKAR, J.]

HRJadhav