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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

30 WRIT PETITION NO. 2858 OF 2025

YASHWANT DASHRATH PATIL AND ANOTHER
VERSUS
SUMANBAI TUKARAM THANKAR KUMBHAR AND OTHERS

Ms.Akshara S. Madake, Advocate for the petitioners.

CORAM : KISHORE C. SANT, J.
DATE : 10.03.2025

PC :-

01. Heard. Learned Advocate for the petitioners/original plaintiffs has argued that the learned CJSD, Dhule has allowed application of the original defendant Nos.1 and 2 – present respondents to file counter claim by way of the impugned order. She has pointed out that earlier some respondents had filed application for counter-claim in the said suit. Said application, however, came to be rejected by the very same Judge by order dated 21.12.2024. She submits that earlier order dated 21.12.2024 was never challenged by the defendants. Instead of challenging the same, they have filed another application within two months from rejection of the earlier order.

02. After having heard, this Court finds that a case is made out to issue notice to the respondents.

03. Issue notice to the respondents, returnable on 21.04.2025.

04. Since the petitioners themselves are the plaintiffs and they are requesting stay of the suit, there shall be ad-interim relief in terms of prayer clause (C) till next date.

[KISHORE C. SANT, J.]