

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO.2516 OF 2015

Sou. Vaschalabai Prabhakar Tingare and another .. Petitioners

Versus

Avinash Todkar Construction and others .. Respondents

Shri. Ajay A. Joshi, for the Petitioners.

CORAM : R.M. SAVANT, J.

DATE : 12th MARCH, 2015

PC.

1. The order dated 28.10.2014 passed by the Learned Joint Civil Judge, Junior Division, Pune rejecting the application Exh.40 for setting aside the “No written statement” order which came to be rejected is taken exception to by the above Petition.

2. The Trial Court having regard to the facts prevailing in the suit in question, wherein the summons was served on the Defendant Nos.1 and 2 on 16.07.2008 and the Defendants having appeared in the suit on 10.02.2009, did not deem it appropriate to set aside the “No written statement” order and grant of extension of time to file the written statement. Having regard the said reasons, no case for interference in the Writ Jurisdiction of this Court is made out. The Writ Petition is accordingly dismissed.

[R.M. SAVANT, J]