

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

WRIT PETITION NO. 4962 OF 2016

Maharashtra Small Scale Industries
Development Corporation Ltd. .. Petitioner

versus

Maharashtra Metal Industries Pvt. Ltd.
and another .. Respondents

Mr. Avinash R. Borulkar, Advocate for petitioner

CORAM : SUNIL P. DESHMUKH, J.
DATE : 2nd May, 2016

ORDER :

1. Looking at the conspectus, wherein it appears that on 02-03-2016 because of the failure of plaintiff to lead further evidence, evidence of the plaintiff was directed to be closed.

2. Learned counsel for the petitioner submits on the very next day, the defendants were supposed to be before the court for evidence. However, on that day, advocate could not make it before the court and as such, defendants' evidence was also directed to be closed. Thereafter, the petitioner had moved an application (Exhibit-49) for taking the matter on board with an intention to have the order dated 19-03-2016 passed against the petitioner set

aside. However, according to learned counsel, the court had considered that there was no particular urgency in the matter. Thereafter, the matter had appeared on 29-04-2016 before the court. By that time, it appears that under misapprehension the writ petition has been filed before this court. On 29-04-2016, the matter stood adjourned to further date.

3. Looking at the dates which have intervened hitherto, it appears that efficacy of the application and order thereon have worked themselves out. Having regard to conspectus as stated above, on the next date, the petitioner may present a proper application to the trial court in respect of order dated 19-03-2016 for its consideration.

4. With aforesaid, writ petition stands disposed of.

SUNIL P. DESHMUKH,
JUDGE

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