

JPP

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

WRIT PETITION NO. 105 OF 2016

Smt. Meena Shankar Nagare and Anr. ... Petitioners.

V/s.

Mr. Ganesah s/o. Sushil Jha and Ors. ... Respondents.

Mr. Nilesh Patil for the Petitioners.
None for the Respondents.

CORAM : N.M. Jamdar, J.

18 August, 2016.

Oral Order :-

The learned Counsel for the Petitioners states that the balance court fees shall be paid within period of two weeks from today. This undertaking is accepted.

2. The Petitioners challenge the order passed by the learned City Civil Court Judge dated 21 February 2013. No written statements in the order dated 21 February 2013. Heard the learned Counsel for the Petitioners. Various reasons have been given by the Petitioners as to why the written statements could not have been

filed in time. It appears that the Petitioners have not brought these reasons to the notice of the learned City Civil Judge and have not prayed for recalling of this order. Instead of carrying out this exercise for the first time in writ jurisdiction, it will be appropriate if the Petitioners first approaches the learned City Civil Judge putting him forth this reason as to why the written statement could not have been filed in time and the order be recalled. If such application is filed, it will be considered on its own merits. The Writ Petition is accordingly disposed of.

(N.M. Jamdar, J.)