

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

WRIT PETITION NO. 2649 OF 2016

(Avinash Dattatraya Deshpande & others Vs. 3rd Jt. Civil Judge, Jr. Dn., Nagpur)

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Shri Alok Daga, Advocate for the petitioners.

CORAM : S. B. SHUKRE, J.

DATED : 05 MAY, 2016

Heard learned Counsel for the petitioner.

The respondent being a Judicial Officer,
whose judicial order has been challenged, cannot be
made party to this petition. Therefore, no notice is being
issued to the respondent. Even otherwise, this petition
can be disposed of by directing the respondent to
reconsider the matter afresh after giving opportunity of
hearing to the petitioners, which opportunity was not
given while passing the order impugned in this petition.

Impugned order is quashed and set aside.

The matter is remanded back to the trial
Court for its consideration afresh.

Sufficient opportunity of hearing be granted
to the petitioners.

Writ petition is disposed of accordingly.

JUDGE