

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 11423 OF 2016

STATE BANK OF INDIA
VERSUS
M/S SHIUR SAKHAR KARKHANA PVT LTD

...
Advocate for Petitioners : Shri Paithankar Prakash B.

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CORAM : RAVINDRA V. GHUGE, J.
Dated: January 06, 2017
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PER COURT :-

1. The petitioner is aggrieved by the following order dated 4.10.2016:-

“ Adv. Shri. V.S.Kadam appeared for complainant. Respondent State Bank of India is duly served with notice dated 12.08.2016 but till today none appeared for the respondent. Hence complaint to proceed ex parte against respondent. Complainant to file evidence affidavit on next date. Hence adjourned till 28.10.2016.”

2. The petitioner however, frankly submits that an application for recalling the order dated 4.10.2016 was not filed by the petitioner before the State Consumer Forum on the apprehension that the said application may not be entertained by the State Forum.

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3. Considering the above, this petition is disposed off. The petitioner would be at liberty to prefer an application for seeking the recalling of the “Proceed ex-parte” order dated 4.10.2016 and the same can be decided by the State Consumer Forum on it's own merits.

(RAVINDRA V. GHUGE, J.)

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