

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

**910 WRIT PETITION NO. 3080 OF 2018
WITH
WRIT PETITION NO. 3081 OF 2018
WITH
WRIT PETITION NO. 3082 OF 2018**

M/S LAXMI CHEMICALS THR. ITS
PARTNER RAMDAS GANPATRAO MISKIN

VERSUS

THE BANK OF MAHARASHTRA
THR. ITS BRANCH MANAGER

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Mr. D.K.Kulkarni, Advocate for Petitioner.

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CORAM : V.L.ACHLIYA, J.

DATE : 5th APRIL, 2018

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ORAL ORDER :

1. By the present petitions, the petitioner has challenged the order dated 29/11/2017 passed by District Judge – 12, Ahmednagar thereby setting aside the order dated 14/08/2017 passed against the respondent to proceed ex-parte.

2. In nut-shell, it is the contention of the learned counsel for the petitioner that without making an application seeking condonation of delay, the application

was moved to set aside the order. The appellate Court has allowed the application without any formal request being made for condoning the delay.

3. On due consideration of the submissions advanced in the light of the order passed and the scope of exercise of power under Article 227 of Constitution of India, I am of the view that no case is made out to interfere with the order passed.

4. Writ Petitions stand dismissed.

[V.L.ACHLIYA, J.]