

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO.15281 OF 2019

Qayyum Ahmad Khan s/o
Waheed Ahmad Khan & another

Petitioners

Versus

Fatima Banoo Fazal Mohammed
(Deceased through LRs)

Respondents

Mr. Shaikh Kayyum Najir, Advocate for the petitioners.

CORAM : Ravindra V.Ghuge, J.

DATE : 19th December, 2019.

PER COURT :

1. The petitioners are aggrieved by the order dated 21.01.2019 passed by the trial Court by which, Civil M.A. No. 353/2015 filed by the petitioners praying for condonation of delay and setting aside the ex-parte judgment delivered in counter claim of Regular Civil Suit No. 1001/1990 dated 20.08.2013, has been rejected.

2. The petitioners have a statutory remedy under the Code of Civil Procedure.

3. This petition is therefore disposed off with liberty. The time spent by the petitioners in this Court from 11.06.2019 till the passing of this order, shall be a good ground for seeking condonation of delay.

Ravindra V.Ghuge
Judge

dyb