

sg

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.10363 OF 2019

Shivnarayan Baxiram Nemani Trust And Ors. ...Petitioners

vs

Mr. Shyam Sunder Rathi And Anr. ...Respondents

.....

Mr. Rajas A. Naik, for the Petitioners.

.....

CORAM : S.C. GUPTE, J.

DATED: OCTOBER 1, 2019

P.C.:

. This petition challenges an order of the trial court. The order simply requires the Petitioners (original plaintiffs) to serve a writ of summons afresh on the Respondents (original defendants). The case of the Petitioners is that they have duly served the Respondents. There is no harm in serving the Respondents again. Learned Counsel for the Petitioners submits that if he is required to serve the Respondents again, his case may be prejudiced. It is difficult to see how. The writ petition has no merit and is dismissed.

Smita
Gonsalves

Digitally signed by
Smita Gonsalves
Date: 2019.10.09
10:44:02 +0530

(S.C. GUPTE, J.)