

Anand

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO. 2395 OF 2020

Bhagwan Pandurang Suryawanshi (since deceased) .Petitioners
through Lrs.

Vs.

M/s. Navbharat Mortar Mill Co. & ors. ..Respondents

Mr. Vaibhav Sugdare i/b. Mr. O. P. Singh, Advocate, for the Petitioners
None for the Respondents

CORAM : REVATI MOHITE DERE, J.

DATE : 12.03.2020

P. C.

. Heard learned counsel for the Petitioners.

2. By this Petition, the Petitioners (Original Plaintiffs) have impugned the order dated 19.10.2019 passed by the Appellate Bench of the Small Causes Court, by which the learned Judge was pleased to permit the Respondents to lead their evidence after 39 years.

3. Issue notice to the Respondents, returnable on **23.04.2020**. Hamdast permitted. In addition to Court notice, Advocate for the Petitioners, to serve the Respondents by Advocate's notice and file Affidavit of service before the returnable date. Notice to indicate that an endeavour shall be made to dispose of the Petition finally at the stage of

admission, even if none appears for the Respondents. Spare copies to be supplied within ten days from today in the Registry of this Court, failing which the Petition shall stand dismissed for want of prosecution without further reference to the Court.

(REVATI MOHITE DERE, J.)