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

**WRIT PETITION (STAMP) NO.16951 OF 2019**

Gangaram Mahadeo Sonawane ... Petitioner  
Versus  
Prakash Mahadeo Sonawane and Ors. ...Respondents

Mr. P. M. Jadhav, for the Petitioner.

**CORAM : REVATI MOHITE DERE, J.**

**DATE : 26<sup>th</sup> FEBRUARY, 2020**

**P.C. :**

1. Heard learned counsel for the Petitioner.
2. By this Petition, the Petitioner has impugned the order dated 18<sup>th</sup> January, 2019, passed by the learned Civil Judge, Junior Division, Malshiras, below Exhibit – 86 in R.C.S. No.101 of 2014, by which, the respondents – plaintiff’s application under Order VI, Rule 16 of the Code of Civil Procedure, to strike off the additional written statement filed by defendant no.1, was allowed.
3. Learned Counsel for the petitioner submits that the defendant no. 1 had not taken consistent stands and as such the observation made

by the trial Court was incorrect.

4. Issue notice to the Respondent Nos.1 to 14 (original plaintiffs), returnable on 1<sup>st</sup> April, 2020. Hamdast permitted. In addition to the Court notice, Petitioner to serve the said Respondents, by Advocate's notice and file affidavit of service before the returnable date.

5. Notice to indicate that an endeavour shall be made to dispose of the petition finally, at the stage of admission, even if none appears on behalf of the respondents.

6. Learned Counsel for the Petitioner to supply spare copies in the Registry within ten days from today, to enable the Registry to issue notice, failing which, the petition shall stand dismissed for non-prosecution, without further reference to the Court.

7. The prayer for interim relief will be considered, after the aforesaid respondents are served.

***REVATI MOHITE DERE, J.***