

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 4789 OF 2022

KRUSHNALI SANJIV PATIL AND ANOTHER
VERSUS
KAMALBAI BHASKAR PATIL AND OTHERS

Advocate for Petitioners : Mr. A.J. Patil

[CORAM : NITIN B. SURYAWANSHI, J.]
DATE : 28th April, 2022

ORDER :

1. The petitioners are aggrieved by the order passed by the learned Joint Civil Judge Senior Division, Bhusawal, Dist.-Jalgaon, thereby allowing the application filed by respondent No.5/defendant No.5 for setting aside ex-parte order passed against him on 18.09.2021.

2. Heard learned advocate for the petitioners.

3. After hearing the learned advocate for the petitioners and after going through the application (Exh.32) and the impugned order passed below it, this Court is of the considered view that, the Trial Court is justified in allowing the application and setting aside the order.

4. Respondent No.5 /defendant No.5 is entitled for reasonable and fair opportunity to contest the suit on merits.

5. Writ petition being devoid of merits is, therefore, dismissed.

**[NITIN B. SURYAWANSHI]
JUDGE**