

SGPunde

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO. 16303 OF 2022
IN
APPEAL FROM ORDER [ST] NO. 31496 OF 2022

Anil Nivrutti Pandhare	... Applicant
<i>Versus</i>	
Sangita Sunil Pandhare & Ors.	... Respondents

...
Ms L. R. Thakur h/f Ms Savita N. Solunke – Advocate for applicant
Mr. Prashant K. Deshmukh – Advocate for respondent nos. 1 & 3
....

CORAM : GAURI GODSE, J.
DATE : 03rd FEBRUARY, 2023

PER COURT :

1. The present civil application is for condonation of delay in filing the appeal from order. Appeal from order challenges an order passed under Order 21 Rule 29 of the Code of Civil Procedure 1908 (“CPC”). The order impugned in the appeal from order is not appealable under any of the provisions of CPC. Hence, learned counsel appearing for the applicant seeks leave to convert the appeal from order into writ petition.
2. Leave as prayed for is granted.
3. Since there is a conversion of appeal from order into writ petition, the applicant will file duly affirmed memo of writ

petition along with necessary annexures, within a period of four weeks from today.

4. After memo of Writ Petition is filed, it shall be registered as Writ Petition.
5. In view of this order of conversion of appeal from order into writ petition, Civil Application No. 16303 of 2022 and Appeal From Order (stamp) No. 31496 of 2022, to be treated as disposed off.

[GAURI GODSE]
JUDGE