

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

WRIT PETITION NO. 1108 OF 2023

Shriram Bhimrao Chormale .. Petitioner

Versus

Godavari Shivsambappa Gade
Through her Power of Attorney
Shivshankar Vishwanath Gade
and others .. Respondents

Shri S. R. Palnitkar, Advocate for the Petitioner.

**CORAM : SHARMILA U. DESHMUKH, J.
DATE : 30TH JANUARY, 2023.**

FINAL ORDER :

1. Heard. By this petition, the petitioner challenges order dated 25th November, 2022 passed by the Trial Court in R.C.S. No. 465 of 2019 thereby rejecting the petitioner's application for setting aside no WS order.

2. The application which was preferred by the petitioner was not supported by any affidavit or any medical certificate and in absence of relevant details the Trial Court has rightly rejected the application for setting aside no WS order.

3. Considering the application which is filed by the petitioner the order of the Trial Court rejecting the said application cannot be faulted with. However, in the interest of justice, the

petitioner may be permitted to file a fresh application with all the relevant details so that the Trial Court can consider the same afresh.

4. Let the fresh application supported with all necessary material be filed within a period of two (02) weeks from today before the Trial Court, which will be considered by the Trial Court on its own merits and in accordance with law. The writ petition is disposed of in above terms. No costs.

[SHARMILA U. DESHMUKH, J.]

bsb/Jan. 23