

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 8234 OF 2023

Shubhangi Mayur Ghumatkar.

...Petitioner.

Versus

Mayur Ramesh Ghumatkar.

..Respondent.

Mr. Arjun S. Pawar for the petitioner.

Coram : Sharmila U. Deshmukh, J.

Date : July 6, 2023.

P. C. :

1. The challenge in the petition is to the order dated 8th June 2023 rejecting the petitioner's application for setting aside the No-WS order passed on 8th November 2022.

2. Perused the impugned order. The trial court has observed that the No-WS Order was passed on 8th November 2022 and the application for condonation of delay will be required. It is further observed that upon being informed, the petitioner has *simplicitor* added the hand-written portion in the prayer clause without any details as regards the number of days of delay caused and without tendering the explanation for delay. Considering the vague

application which was filed, the trial court had no option but to reject the application.

3. Learned counsel for the petitioner submits that a detailed application setting out the details as regards the delay and offering explanation for the same with appropriate prayers would be filed before the trial court.

4. In view of the above, the impugned order dated 8th June 2023 is quashed and set aside with liberty to the petitioner to file a detailed application before the trial court on the next date. The trial court shall consider the said application on its own merits and uninfluenced by its earlier order dated 8th June 2023.

5. The writ petition stands disposed of in above terms.

[Sharmila U. Deshmukh, J.]