

Ajay

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

WRIT PETITION NO. 1878 OF 2024

Mrs. Leena Chhaban Tonde

.. Petitioner

Versus

Mr. Dilip Yashwant Padale and Ors.

.. Respondents

-
- Mr. Ashutosh Kumbhakoni, Senior Advocate a/w. Mr. Hitesh Vyas, Mr. Siddharth Karpe and Mr. Raut, Advocates for Petitioner.
 - Mr. Girish Godbole, Senior Advocate i/by Ms. Deepashikha Godbole for Respondent No.12.
 - Mr. Akshay Doctor, Advocate i/by P.S. Chambers for Respondent Nos.13 and 14.

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CORAM : MILIND N. JADHAV, J.

DATE : FEBRUARY 16, 2024.

P.C.:

1. I have heard Mr. Kumbhakoni, learned Senior Advocate for Petitioner, Mr. Godbole, learned Senior Advocate for Respondent No.12 and Mr. Doctor, learned Advocate for Respondent Nos.13 and 14 for some time.

2. Mr. Godbole, learned Senior Advocate waives service on behalf of Respondent No.12.

3. An arguable case has been made out for issuance of notice in view of the submissions advanced by Mr. Kumbhakoni which requires consideration of the Court in so far as maintainability and validity of the impugned order dated 21.04.2023 is concerned in the facts of the present case.

4. Hence, issue notice to unserved Respondents.
5. In addition to Court notice, Petitioners is permitted to serve a copy of the Petition and this order on the Respondents and inform them about the next date of hearing by any permissible mode of service and file appropriate Affidavit of service with tangible proof thereof on or before the next date.
6. Unserved Respondents are directed to remain present in Court on the next adjourned date either by themselves or through Advocates.
7. Parties are directed to file their compilation, Affidavit-in-Reply, if any, if so desired and exchange the same in advance with the other side.
8. It is clarified that this Writ Petition shall be disposed of on the next adjourned date at the stage of admission itself.
9. Stand over to **28th February, 2024 at 02:30 p.m.**

[MILIND N. JADHAV, J.]