

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

1015 WRIT PETITION NO. 2869 OF 2023

SHRINIVAS MULTI PLAST THROUGH ITS PROPRIETOR NARENDRA
LOTAN CHAUDHARI

VERSUS

OM SAI DRIP IRRIGATION THROUGH ITS PROPRIETOR DEELIP
BHURAO JOSHI

...
Advocate for the Petitioner : Mr. Shinde Ganesh P. and Mr. Mane
Advocate for Respondent : Mr. Yogesh A. Jadhav
...

CORAM : SIDDHESHWAR S. THOMBRE, J.
DATE : 17.12.2025

PER COURT :

1. Heard the learned Counsel for the respective parties.
2. By way of this petition, the petitioner assails the order dated 16.11.2022 passed below Exh.10 by 2nd Joint Civil Judge, Senior Division, Jalgaon in Summary Civil Suit No. 06 of 2022, whereby the application filed by the Original Defendant/Respondent to leave to defend the suit came to be allowed.
3. After going through the record I find that the application which was filed by the respondent below Exh. 10 does not specifically point out the defence taken by it, therefore, only on this ground alone, I am inclined to allow the petition by setting aside the order below Exh. 10.
4. In view thereof, the Writ Petition is allowed. The order dated 16.11.2022 passed below Exh.10 by 2nd Joint Civil Judge, Senior

Division, Jalgaon in Summary Civil Suit No. 06 fo 2022 is quashed and set aside.

5. The defendant is at liberty to file fresh application before the trial Court and the same shall be considered by it in accordance with law without being influenced by the order passed by this Court.

(SIDDHESHWAR S. THOMBRE, J.)

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