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

959 WRIT PETITION NO. 6151 OF 2025

KASHINATH BABURAO GAIKWAD AND ANOTHER

....Petitioners

VERSUS

SANJAY DAGDU GAIKWAD AND OTHERS

.....Respondent

Mr. A. B. Chormal, Advocate for the petitioners

CORAM : KISHORE C. SANT, J.

DATE : 07th MAY, 2025

P. C.

1. Heard the learned advocate for the petitioners.
2. The challenge in the petition is to an order dated 28-11-2024 passed by the learned CJSD, Shrirampur. The application of the petitioners seeking condonation of delay in filing the written statement on record came to be rejected by the impugned order. From the order it is seen that the petitioner has earlier filed an application Exh.32 praying for two reliefs; one for setting aside the order passed ex-parte against the present

petitioners. Second prayer was for accepting the written statement. The said application was partly allowed by order dated 27-09-2024. Only the prayer to set aside the order was allowed.

3. So far as prayer regarding written statement is concerned the application was rejected. The petitioner did not challenge the said order and instead filed an application only for relief of condonation of delay in filing the written statement on 18-10-2024. The learned trial Judge by observing this rejected the application Exh.42.

4. The learned advocate for the petitioner vehemently argued that the learned trial court by rejecting the application has refused an opportunity to participate effectively in the proceeding.

5. For the reasons stated in the application and reasons assigned by the learned trial court, this court finds no perversity

or illegality in the said order. The court has rightly considered that application Exh.42 is repetitively filed for the same cause. In view of above, this court does not find any reason to entertain the petition. Therefore, the writ petition stands dismissed. No order as to costs.

[KISHORE C. SANT, J.]

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