

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.1068 OF 2025

Chandrasahsa Kutty Shetty	...Petitioner
<i>Versus</i>	
Yogesh Chandrakant Ghule & Anr.	...Respondents

Mr. Sumedh Modak i/b. Mr. Vijay Killedar, Advocates, for the
Petitioner.
Mr. Niranjan A. Mogre, Advocate, for the Respondents.

CORAM: MADHAV J. JAMDAR, J.
DATED : 21st JANUARY 2025

P. C.:

1. Heard Mr. Modak, learned Counsel appearing for the
Petitioner and Mr. Mogre, learned Counsel appearing for the
Respondents.

2. The challenge in the present Writ Petition is to the order
dated 23rd December 2024 passed by the learned 5th Additional
Judge, Small Causes Court and Joint Civil Judge Senior Division,
Pune below Application for striking of defence dated 30th
September 2024 in Civil Suit No.333 of 2023. The impugned order
has been passed on the ground that payment is not made in terms

of the order dated 9th August 2024 passed by the learned Trial Court under Order 15-A of the Code of Civil Procedure, 1908.

3. However, this Court by the order dated 7th January 2025 passed in Writ Petition No.19218 of 2024 has quashed and set aside the said order dated 9th August 2024 as well as the order dated 12th November 2024 passed by the learned Revisional Court, As the said orders are quashed and set aside, the impugned order dated 23rd December 2024 passed by the learned 5th Additional Judge Small Causes Court and Joint Civil Judge Senior Division, Pune allowing the Application for striking of defence dated 30th September 2024 in Suit No.333 of 2023 is quashed and set aside and the said Application is dismissed.

4. The Writ Petition is disposed of in above terms with no order as to costs.

[MADHAV J. JAMDAR, J.]

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