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

WRIT PETITION NO. 15787 OF 2025

Hitesh Vasantlal Bhanushali and Anr.

... Petitioners

V/s.

The State of Maharashtra and Ors.

... Respondents

Mr. Bhavin Gada with Pratibha Mehta i/b. Pratibha Mehta for the Petitioners
Ms. Rupali M. Shinde, AGP for Respondent No. 1 – State
Mr. Archit Virmani for Respondent No.4

**CORAM : R.I. CHAGLA AND
FARHAN P. DUBASH, JJ.**

DATE : 27TH NOVEMBER 2025

P.C. :

1. The learned Counsel appearing for the Petitioners has tendered affidavit proving service of Writ Petition upon Respondent Nos. 3,5 to 7 dated 27th November 2025 which is taken on record. It is evident from the said Affidavit of Service that these Respondents have been served by an e-mail dated 25th November 2025.

2. The learned Counsel for the Petitioners states that when the Respondent No.3 was contacted telephonically by the Petitioners, earlier today, he had indicated that he had not taken note of the said e-mail dated

25th November, 2025 and that he should have been informed earlier and will not appear today when the matter has been listed.

3. We consider it highly in-appropriate for the Respondent No.3, Court Commissioner, appointed by the Chief Metropolitan Magistrate Court, Mumbai to take such a stand.

4. We accordingly direct the Respondent No.3 – Ganesh Dadasaheb Thombare, Court Commissioner, to appear tomorrow either through Video Conferencing or in-person, when the above Writ Petition shall be listed.

5. The Advocates for the Petitioners shall serve notice of this order on the Respondent No.3 today.

6. The Writ Petition shall be placed on the Supplementary Board tomorrow i.e. 28th November 2025.

(FARHAN P. DUBASH, J.)

(R.I. CHAGLA J.)

Jyoti Pawar
904.WP 15787.2025