



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

WRIT PETITION NO.738/2025

Ashwin Rasiklal Dawda and Ors. .Vs. Gajanan Kisanrao Badke and Ors.

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Mr. M. Deo, Advocate for petitioners.
Ms D. V. Sapkal, A.G.P. for respondent Nos. 5 and 6.

CORAM : ANIL L. PANSARE, J.
DATE : FEBRUARY 12, 2025

Heard.

2. Contention is that the Court has, without giving opportunity of hearing to the petitioners – defendant Nos.5 to 17 and also without assigning any reason, allowed the application filed by respondent Nos. 1 and 2 – original plaintiff, seeking leave to file suit under Section 91 as also exemption from issuing notice under Section 80 of the Civil Procedure Code, 1908.

2. Issue notice before admission to the respondents, returnable in the week commencing from 03.03.2025.

3. Learned A.G.P. waives service of notice for respondent Nos.5 and 6.

4. In addition to usual mode of service, the petitioners may serve the respondents through all permissible modes, including service by the speed post and shall file affidavit of service.

(Anil L. Pansare, J.)