

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

CIVIL WRIT PETITION NO. 15493 OF 2024

Jaysing Kundalik Jagtap & Another

...Petitioners

Versus

Sarpanch Grampanchayat Shelkewadi
& Others

...Respondents

Mr. Nagesh Chavan a/w Ms. Ankita Chindage a/w Mr. Abhang
Suryawanshi, Advocates for the petitioners

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CORAM : NITIN B. SURYAWANSHI, J.

DATE : 08th JANUARY, 2026

ORDER :

1. Heard.

2. It is the case of the petitioners that they filed suit in the representative capacity, however, inadvertently permission of the Trial Court to treat the suit as representative suit is remained to be obtained. The application filed by the petitioner for issuance of public notice is rejected by the Trial Court observing that the suit is not representative suit and till today no such permission was obtained by the plaintiffs under order 1 Rule 8(1) of C.P.C., therefore, public notice cannot be issued.

3. Petitioners undertake to file application before the Trial Court to treat the suit in the representative capacity and to take further steps for issuance of public notice.

4. In that view of the matter, writ petition is disposed of by permitting the petitioners to file such application. While deciding the said application Trial Court shall not be influenced by the order passed below Exhibit-31.

(NITIN B. SURYAWANSHI, J.)