

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

WRIT PETITION NO.1998 OF 2015

Shri. Ashok Ramchandra Patil and another .. Petitioners

Versus

M/s. Narso Vasudeo Joshi .. Respondent

Shri. Mahendra Agavekar i/by Mandar Limaye, for the Petitioners.

CORAM : R.M. SAVANT, J.

DATE : 09th MARCH, 2015

PC.

1. By the above Petition, the Petitioners take exception to two orders i.e. order dated 16.01.2014 rejecting the application Exh.59 and the order dated 17.12.2014 rejecting the application Exh.72. In so far as the application Exh.59 is concerned, the same was filed for referring the signatures on the cheque to the handwriting expert and in so far as application Exh.72 is concerned, the same was filed for framing issues. In the light of the defence taken by the Defendants, the Trial Court did not deem it appropriate to allow the application Exh.59 as it is the case of the Defendants that the cheque was obtained by blackmail etc. and that there is no denial in so far the signatures are concerned.

2. In so far as the application Exh.72 is concerned, in view of the

issue that has already been framed, the Trial Court deemed it appropriate to reject the application to frame the issue which was sought vide the said application Exh.72. Hence, having regard to the reasons mentioned for rejecting both the applications i.e. application Exh.59 as well as Exh.72, no case for interference in the Writ Jurisdiction of this Court is made out. The Writ Petition is accordingly dismissed.

[R.M. SAVANT, J]