

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

WRIT PETITION NO.7782 OF 2015

Shri. Mohanlal S. Khabiya

(Since deceased through his legal heirs)

Smt. Ratnaprabha Mohanlal Khabiya and others .. Petitioners

Versus

Shri. Jagannath Krishnaji Deore and others .. Respondents

Mr. S. S. Raut, for the Petitioners.

CORAM : R.M. SAVANT, J.

DATE : 28th SEPTEMBER, 2015

PC.

1. The order dated 02.03.2015 passed by the Learned Joint Civil Judge Senior Division, Pune, rejecting the application Exh.228 filed by the Plaintiff for framing of additional issues is taken exception to by way of the above Petition. In the suit as many as ten issues are framed which include the issue of limitation as also as to whether the Plaintiff is entitled to compensation for acquisition of the land in question. The Trial Court has rejected the application on the ground that since the issues are already framed, there is no need to again frame the same issues. Having perused the issues that are already framed and having perused the framing of issues of which was sought by the instant application Exh.228, the order

passed by the Trial Court rejecting the application Exh.228 cannot be found fault with. No case for interference in the Writ Jurisdiction of this Court is made out. The Writ Petition is accordingly dismissed.

[R.M. SAVANT, J]

CERTIFICATE

Certified to be true and correct copy of the original signed
Judgment/Order.