

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.11694 OF 2014

Jayant Balkrishna Lonandkar & Anr.)... Petitioners
V/s.
Trilochana Singh Sant Singh Sahney & Ors.)... Respondents

Mr.Satyan N.Vaishanawa a/w Ms.Nupur J.Mukherjee & Mr.Anil Chauhan
i/by M/s.N.N.Vaishnawa & Co. for petitioners.

Mr.Basavraj S.Talwar for respondent no.1.

CORAM: K.R.SHRIRAM, J.

DATED : 4.2.2015.

P.C. :

1 This writ petition is filed challenging the order dated 13.8.2014 passed by the trial court rejecting the application of the petitioners to issue witness summons to the plaintiff. On behalf of the plaintiff Constituted Attorney had given evidence.

2 The trial is still on at this stage. The function of High Court under Article 227 of the Constitution is limited to see that subordinate court or Tribunal functions within its limit or authority and not to see whether the order passed by the Trial court or Tribunal was the correct order or not.

3 The petition therefore is rejected.

4 It is however, clarified that the petitioners are at liberty to raise all grounds before the trial court and also in case the trial court decides the suit against the petitioners, to raise all the grounds that are raised in the present petition, in its appeal.

(K.R.SHRIRAM, J.)