

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

Writ Petition No.222 of 2015

(Smt. Suman wd/o Shriramji Somvanshi and others v. Wamanrao Malharrao
Sawai, since deceased, through his LRs., and others)

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

Shri S.Y. Deopujari, Advocate for Petitioners.

Coram : R.K. Deshpande, J.

Dated : 22nd January, 2015

The challenge in this petition is to the interlocutory order dated 10-11-2014 passed by the Trial Court rejecting the application at Exhibit 125 for permission to lead secondary evidence.

No interference is called for in the order impugned at this stage. The petition is dismissed. It is open for the petitioners to challenge such order by filing a regular civil appeal in the event if the ultimate decision in the suit goes against them. The Appellate Court has ample power even to remit the matter back for recording of evidence and, therefore, all questions are open to be agitated in a regular civil appeal.

Judge.