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IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO.3808 OF 2016

Ayodhyabai Sopan Chiwade and Others PETITIONERS

VERSUS

Vaishali Abhay Dhage RESPONDENT

.....

Mr. R. P. Adgaonkar, Advocate for the petitioners

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[CORAM : SUNIL P. DESHMUKH, J.]

DATE : 4th APRIL, 2016

ORDER :

1. Heard learned advocate for the petitioners.

2. The petitioners are purportedly aggrieved by grant of application Exhibit-47 filed by respondent – plaintiff in Regular Civil Suit No.727 of 2012 for setting aside evidence close order.

3. Learned advocate for the petitioners vehemently submits that the order ought not to have been passed having regard to the peculiar facts and circumstances of the case.

4. However, perusal of the impugned order, particularly paragraphs No.2, 3 and 4 as appearing in the same, would show that the court has not committed any error, much less grievous error.

5. Under the circumstances, the impugned order, thereby allowing application Exhibit-47 to set aside evidence close order, upon the request of the plaintiff, is not liable to be faulted with under the discretionary powers of this court.

6. Writ petition, as such, is not being entertained and stands rejected.

7. If at all defendants request for expeditious disposal of the suit, the trial court may consider for expeditious disposal of the suit.

[SUNIL P. DESHMUKH, J.]

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