

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

WRIT PETITION NO. 4646 OF 2016

Sanjay s/o Bharatkumar Jaiswal and another .. Petitioners

VS

Sayed Badar s/o Sayed Daber and another .. Respondents

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Mr. Ajeet D. Kasliwal, Advocate for petitioners

CORAM : SUNIL P. DESHMUKH, J.
DATE : 25TH APRIL, 2016

ORDER :

1. Petition is moved purportedly aggrieved by refusal to allow question being put during the cross examination. The question had been objected to by other side and the objection was sustained.
2. Learned counsel for petitioner contends that dis-allowance of the question is erroneous having regard to section 52 of the Indian Evidence Act.
3. From the submissions of the learned counsel, it appears that the matter is in the middle of evidence being led by parties. The question sought to be posed and its relevance or irrelevance appears to be debatable.

4. If petitioner is aggrieved by dis-allowance of question being put and if it causes prejudice to his right, it would be open for petitioner to raise such ground, keeping in view section 105 of the Code of Civil Procedure, 1908.

5. This is not the stage at which writ petition can be entertained and as such is rejected.

6. With aforesaid, writ petition stands disposed of.

SUNIL P. DESHMUKH,
JUDGE

pnd