

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

WRIT PETITION NO. 6373 OF 2016

Ashok Waman Mahale and others	.. Petitioners
vs	
Kawarlal Motilal Jain and another	.. Respondents

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Mr. Amit S. Savale, Advocate for petitioners
Mr. D.A. Mane, Advocate h/f Mr. Milind Patil, Adv. for respondents

CORAM : SUNIL P. DESHMUKH, J.
DATE : 22nd June, 2016

ORDER :

1. Heard learned counsel for the petitioners.
2. This writ petition has been moved by original defendants against an order passed on 19-04-2016 by learned Civil Judge, Senior Division, Shahada, on Exhibit-22 in regular civil suit no. 13 of of 2016, under which request of the respondents-original plaintiffs to allow them to argue on Exhibit-5 and for production of certain documents has been granted.
3. Respondents-plaintiffs had objected to the application (Exhibit-22), stating that arguments on Exhibit-5 were heard and the matter was posted for orders and as such no indulgence be granted to petitioners.

4. Looking at that the nature of the order is interlocutory, by granting application, it cannot be said that it causes prejudice to the merits of the case. The court, in its discretion, has allowed the application and as such this is not a case where extra-ordinary powers of this court may be invoked.

5. Writ petition as such is not being entertained and is rejected.

SUNIL P. DESHMUKH,
JUDGE

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