

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO.7697 OF 2016

M/s Ahura Builders

... Petitioner

Versus

Pune Municipal Corporation and Ors.

... Respondents

Mr.Drupad Patil for the Petitioner.

None for the Respondent.

Coram: N.M. Jamdar, J.

Dated: 8 September 2016

P.C.:

1. By an impugned order the learned Civil Judge, Small Causes Court, Pune, has rejected the application filed by the Petitioner for framing additional issue.

2. Scope of Article 227 of Constitution of India to interfere with interlocutory orders is extremely limited unless such interlocutory orders result in failure of justice, or flagrant abuse of process of law is shown. In the present case, even if the issue as sought for by the Petitioner is not framed, the Petitioner is not precluded from advancing such argument that may be available in law in consonance with the pleadings and therefore the petitioner is not

prejudiced by the impugned order. Therefore it is not necessary to interfere with the same.

3. Writ petition is accordingly disposed off.

(N. M. Jamdar, J.)