

Sequeira

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

WRIT PETITION NO. 1307 OF 2015

Shri Ganesh Vithoba Kamath

.. Petitioner

Vs

1(a) Smt.Ratnaprabha wd/o

Dayanand Chaudhari & ors.

.. Respondents

Ms.Rekha Shukla, for the Petitioner.

Mr.Chintan Shah i/b Sandesh Patil, for Respondents.

***CORAM : N.M.Jamdar, J.
Wednesday, 30 November 2016.***

P.C. :

Heard learned counsel for the parties. The application taken out by the Petitioner for framing additional issue during the course of the appeal has been rejected by the impugned order. The contention of the Petitioner is regarding non consideration of the question of comparative hardship by the trial Court. Since the Appeal filed by the Petitioner is pending, the Petitioner can always take out such argument as available in law and Respondents can counter the same on its own merits. By keeping contentions of the parties open to be decided in the appeal, Writ Petition is disposed of.

(N.M.Jamdar, J.)