

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

WRIT PETITION NO.3017/2014

Dinkar S/o Vishwanath Bhoyar

..Versus..

Shankar S/o Bapurao Pazare

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

CORAM : Z.A. HAQ, J.

DATE : 29.1.2016

None appeared for the petitioner on 1st December, 2015 and 8th January, 2016. Today also none appears for the petitioner when the matter is called out.

Heard Shri S.C. Bhalerao, advocate for the respondent.

The petitioner - defendant has challenged the order passed by the trial Court rejecting the application filed by him for accepting the written statement on the record after the prescribed period.

The learned trial Judge has aptly considered the facts and has rightly rejected the application filed by the petitioner - defendant recording that there is no justification for

not filing the written statement till the plaintiff has filed his affidavit in lieu of evidence on the record.

The impugned order does not suffer from any illegality or irregularity and there is no error of jurisdiction. I do not see any reason to interfere with the impugned order. The writ petition is dismissed. In the circumstances, the parties to bear their own costs.

JUDGE

Tambaskar.