

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

WRIT PETITION NO. 119 OF 2016

(MOHAMMAD SHAFI MOHAMMAD SULEMAN...VS..THASILDAR, BARSHITAKLI & ANR.)

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.

DATED : JANUARY 22, 2016.

Heard Shri A.S. Deshpande, advocate for the petitioner and Ms H.N. Prabhu, A.G.P. for the respondent Nos. 1 and 2.

The petitioner-plaintiff has challenged the order passed by the trial Court rejecting the application (Exh.40) filed by him praying that the issues be recast.

With the assistance of the learned advocate for the petitioner and the learned A.G.P., I have examined the copy of the plaint, copy of the written statement filed by the defendants, issues framed by the trial Court, the application filed by the petitioner and the impugned order.

The impugned order is purely interlocutory in nature and therefore, I am not inclined to interfere in the extraordinary writ jurisdiction.

The writ petition is **dismissed**. In the circumstances, the parties to bear their own costs.

The petitioner would be at liberty to raise the challenge as per Section 105 of the Code of Civil Procedure, if occasion arises.

JUDGE

RRaut..