

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 4159 OF 2017

Smt Mahadabai w/o Gunwantrao Patil
and others ...Petitioners

Versus

Chimanabai w/o Shankar Soppa
Died her L.Rs.
Kamalabai w/o Gurbasappa Chaunda
Died through her L.Rs.

2/1. Vishwanath s/o Gurbasappa Chaunda
and others ...Respondents

...

Mr. Rajeev B. Deshmukh, Advocate for petitioners
Mr. B. A. Darak, Advocate for respondents no. 2/1 to 2/5

[CORAM: SUNIL P. DESHMUKH, J.]
Date: 12th July, 2017

ORDER :

1. Heard learned counsel for petitioners.
2. Learned counsel for petitioners submits that petitioners intends to challenge order dated 25th November, 2016, passed by the civil judge, junior division, Udgir under application exhibit-95 in RD no. 56 of 1980 in respect of granting permission to respondents to 2/1 to 2/5 to lead secondary evidence of documents.

3. Learned counsel for respondents Mr. Darak states that one witness has already been examined pursuant to the permission granted under order dated 25th November, 2016 passed on application exhibit-95.

4. In the circumstances, learned counsel for petitioner resiles to the position that there would be avenue open to challenge correctness of order pursuant to section 105 of Code of Civil Procedure.

5. In view of the same, writ petition stands disposed of.

[SUNIL P. DESHMUKH, J.]

vdk