

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
BENCH AT AURANGABAD**

WRIT PETITION NO. 2206 OF 2017

Ravindra s/o Jagatsing Pawar

.. PETITIONER

VERSUS

Yogendra s/o Jagatsing Pawar

.. RESPONDENT

Mr. Pathan Zareef Khan, advocate for petitioner.

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CORAM : S. B. SHUKRE, J.

DATE : 24th FEBRUARY, 2017.

PER COURT :

1. Heard learned counsel for petitioner. Perused the impugned order.

2. On perusal of the impugned order, I do not find any perversity or patent illegality. If respondent, who is defendant, is denying execution of gift deed by his father in favour of plaintiff in a suit based on possession relatable to the gift deed, it is open for such defendant to examine his father as the witness. Here is a case wherein the father is not coming forward with a plea that he did not execute any gift deed. In these circumstances, the impugned order cannot be viewed as the one passed arbitrarily or against the settled principles of law. Writ petition stands dismissed summarily.

**(S. B. SHUKRE)
JUDGE**