

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 3024 OF 2014

Shri Krushnaji Vinayak Bandeshti ... Petitioner
versus
Shri Dinanath Pandurang Joshi and others ... Respondents

Mr. Dilip B. Rode, Advocate for petitioner

CORAM : SUNIL P. DESHMUKH, J.
DATE : 19-12-2017

ORDER :

1. Heard learned counsel for the petitioner.
2. Perusal of impugned order, particularly paragraph no 4 of it, passed on 22-12-2013 by Joint Civil Judge, Junior Division, Shrigonda whereunder application Exhibit - 55 by petitioner - original defendant no. 3 in regular civil suit no. 258 of 2012 has been rejected, bears out state of affairs in the matter and having regard to the reasons appearing thereunder, exercise of discretion does not appear to be fallible on any ground and would not be faulted with. The discretion cannot be termed as having been exercised arbitrarily or capriciously.
3. In the circumstances, having regard to the background of the matter, it is not a fit case wherein interference with the impugned order is called for.
4. Writ petition thus is rejected.

SUNIL P. DESHMUKH
JUDGE

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