

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

WRIT PETITION NO. 13566 OF 2017

ANKUSH RAMBHAU SATHE
VERSUS
JYOTI VINOD KUMAR BHATTAD AND ANOTHER

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Advocate for Petitioner : Mr Sk.Mujtaba Gulam Mustafa

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CORAM : V.K. JADHAV, J.
Dated: November 22, 2017

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PER COURT :-

1. I do not find any substance in this writ petition.
2. It appears that respondent-original defendant no.2 wanted to examine her husband as her General Power of Attorney in the suit, however, petitioner-original plaintiff has raised an objection by filing an application Exh.99 praying therein that permission should not be granted to the petitioner-plaintiff for examination of the G.P.A. on her behalf. By order dated 1.7.2017, the Court has observed that, respondent-defendant No.2 has examined herself and, thereafter, not pressed affidavit-of-evidence of her husband submitted in the capacity of G.P.A. on her behalf. It further appears from the record

that, respondent-defendant no.2 has filed affidavit-of-evidence of her husband in the capacity as witness and same has been rightly allowed by the trial court. Respondent-defendant no.2 can examine her husband as a witness independently, and, there cannot be any objection for examination of the husband of defendant no.2, as a witness. Writ Petition is devoid of any merit. There is no reason to interfere in the order impugned in this writ petition. Writ Petition is hereby dismissed. No costs.

(V.K. JADHAV, J.)

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