

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

WRIT PETITION NO. 12799 OF 2016

Ansar Ahmad s/o Mohammad Hussain Shaikh

.. PETITIONER

VERSUS

Vijay Kumar s/o Dagduji Dahigude

.. RESPONDENT

Mr. Syed Masood Chand, advocate for petitioner.

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CORAM : S. B. SHUKRE, J.

DATE : 16th JANUARY, 2017.

PER COURT :

1. Heard learned counsel for petitioner.

2. Perused the impugned order. I do not see any illegality or any perversity or arbitrariness therein. The learned Civil Judge has observed that the stage of the suit is such that if the plaintiff is permitted to affix his signature on the plaint, duplicate plaint and vakalatnama, no prejudice would be caused to the defendant i.e. petitioner and that, the petitioner would have enough opportunity to cross examine witness of the plaintiff as well as lead his own evidence, and rightly so. The observation made by the learned Civil Judge cannot be said to be so unjust as to lead to failure of justice. No interference in the impugned order is warranted. Petition is summarily dismissed with cost.

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