

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO.10404 OF 2017

Radha Balkrishna Pittie & Ors.

..Petitioners

V/s.

Shri.Niraj Shailesh Gandhi & Ors.

..Respondents

Mr.B.N. Shukla i/b Mr.B.N. Shukla & Co. for the Petitioners.

Mr.Mayur Khandeparkat for Respondent Nos.1 to 4.

CORAM : M. S. SONAK, J.

DATE : 15th SEPTEMBER 2017

P.C.

1. Not on board. Upon production, taken on board.
2. Heard Mr.B.N. Shukla, the learned counsel for the petitioners and Mr.Mayur Khandeparkar, the learned counsel for the respondents.
3. The Revisional Court, in this case, has exercised discretionary jurisdiction. After taking into consideration the age and the medical ailments of the witness, Revisional Court, has exercised powers under order XVIII Rule 16 and Order XVIII Rule 3(a) of the Civil Procedure Code. There is neither any jurisdictional

error nor any unreasonableness in the exercise of discretion. Accordingly, there is no case made out to interfere with the impugned order the petition is dismissed. There shall be no order as to costs.

(M. S. SONAK, J.)