

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

**WRIT PETITION NO. 10529 OF 2015**

**WITH**

**WRIT PETITION NO. 10735 OF 2015**

**Pradeep Pravin Meghani**

**...Petitioner**

*Versus*

**Shakil Ahmed Ibrahim Roshanali & Anr.**

**...Respondents**

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None for the Petitioner in both Petitions.

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**CORAM : N.M. JAMDAR, J.**

**DATE : 2 February 2017**

**ORAL ORDER :**

1. By these Petitions, the Petitioner challenges the order dated 8 November 2012 passed by the learned Small Causes Court, Judge, Mumbai wherein the Applications taken out by the Petitioner-Plaintiff to disallow to Defendants No. 1(b) and 1(c) from examining a particular witness. The learned Small Causes Court, Judge dismissed the Applications, keeping the contention as to whether the evidence of the witness should be considered or not open at the time of final arguments. This

order is purely interlocutory and does not close arguments of the Petitioner in respect of the examination of the said witness.

2. After the order is passed in the year 2012, the present Writ Petitions were filed in September 2015, three years after impugned order. The Petitions came up in routine course wherein none appeared in February 2016 and March 2016 the Petitions were dismissed for default. Subsequently, they were restored. None appeared today. As stated earlier, the order challenged is purely interlocutory and does not conclude any substantive rights of the parties. In the circumstances, no interference is warranted in the impugned order. The Writ Petitions are accordingly rejected. As clarified by the learned Small Causes Court, Judge, the issue is already kept open.

**[N.M. JAMDAR, J.]**