

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

926 WRIT PETITION NO.3865 OF 2018

Baburao S/o Motiram Gungase ... Petitioner.
Versus
Motiram S/o. Pandurang Gungase
and others ... Respondents.

....
Mr. M.P. Kale, Advocate for the Petitioner.
Mr. S.K. Tambe, A.G.P. for Respondent Nos.4 and 5.
....

CORAM : V.L. ACHLIYA, J.

DATED : 17th APRIL, 2018

PER COURT:-

1. The petitioner has challenged the order dated 13.03.2018 passed by the Civil Judge, Junior Division, Sonpeth, thereby rejecting the application moved by the petitioner seeking order to issue witness summons to the concerned Talathi.
2. Heard the learned counsel for the petitioner. Perused the order.
3. On due consideration of the submissions advanced in the light of the order, I am of the view that the order passed by the trial Court is reasoned and calls for no interference in exercise of supervisory jurisdiction under Article 227 of Constitution of India. It is well settled position of law that while dealing with the petition under article 227 of the Constitution of India, this Court cannot sit in Appeal over the order passed by the Courts below. In absence of perversity and jurisdictional error, I am not inclined to entertain the petition. The petition is dismissed.

**(V.L. ACHLIYA)
JUDGE**