

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

WRIT PETITION No. 12126 OF 2018

Hemlata W/o Ratan Waghmode	...	Petitioner
Versus		
Shyamsundar S/o Shankarrao Parkhe	...	Respondent

Mr. S.B. Khan, Advocate for petitioner

Coram : N.M. Jamdar, J.

Date : 5 December 2018.

ORAL ORDER:

1. By this petition, the petitioner has challenged the order passed below application Exhibit No. 24 in Regular Civil Suit No. 1482 of 2012 by the learned 5th Joint Civil Judge (Junior Division), Aurangabad, dated 19 July 2017 appointing a person as the next friend of the plaintiff.

2. The learned Civil Judge has observed that in the inquiry held, evidence was led, doctor was examined and the certificate was issued and thereafter the applicant therein was appointed as the next

friend. Considering the scope of Article 227 of the Constitution of India, I am not inclined to interfere with this order.

3. The contentions of the petitioner regarding unsoundness of the original plaintiff and if the appointment affects any of the contentions of the petitioner on merits of this case, they are kept open to be urged at the time of hearing of the suit.

4. The writ petition is accordingly disposed of.

N.M. Jamdar, J.