

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO.13639 OF 2018

LATA ASHOK AGRAWAL THROUGH GPA DHIRAJ ASHOK AGRAWAL
VERSUS
ASHOK KHUSHALSINGH CHAVAN AND OTHERS

...
Advocate for Petitioner : Mr. Patni Pramod F.

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CORAM : N. M. JAMDAR, J.
DATED : 10 DECEMBER 2018

PER COURT:-

1. By this petition, the petitioner-plaintiff has sought to challenge two orders passed by the learned Civil Judge, Junior Division, Kannad. The first order is below Exh.53 wherein the application of the petitioner for framing certain additional issues has been rejected. The learned Civil Judge has found these issues not to be necessary, as according to the learned Civil Judge, the issues are covered in issue Nos. 2 and 4 already framed. Even assuming the issues are not so framed, that does not preclude the petitioner from arguing his case, as pleaded, as per the law and facts. Thus, by the impugned order the petitioner is not prejudiced.

2. As far as the order dated 10 September 2018 regarding witness summons is concerned, the learned Civil Judge has rejected the same as the petitioner has not given explanation in the application. The

application does not appear to have been rejected on merits but on account of lack of particulars. Thus, the petitioner is not precluded from filing application giving all necessary particulars. The writ petition is disposed of.

(N. M. JAMDAR, J.)

rlj/