

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

WRIT PETITION NO. 12981 OF 2018

The Agresar Arban Co-op. Credit Society
& another ... Petitioners

Versus

Suresh s/o Pandharinath Joshi & others ... Respondents

Mr. K.K. Kulkarni, Advocate for the Petitioners.
Mr. V.A. Pawar, Advocate for Respondent no. 1.

Coram : N.M. Jamdar, J.

Date : 28 November 2018.

Oral Order :

1. By this petition, petitioner-defendant no. 3 has challenged the order passed by the learned Civil Judge, Senior Division, Jalgaon refusing to recast the issue no. 6 as prayed for.

2. Considering the facts and the position of law that even if issues are framed in a particular manner, the parties are not precluded from advancing all such arguments as are available in law, no prejudice is seen to have occurred against the petitioners so as to

warrant interference in the impugned order.

3. Keeping all the contentions of the parties open, writ petition is disposed of.

N.M. Jamdar, J.