

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.3863 OF 2018

Status Enterprises & Anr.	..	Petitioners
Versus		
Kailasrao Sakharam Kodre	..	Respondent

Mr. A.Doijode with S. Suryavanshi and Mr. J.D'Souza I/b. Vigil Juris
for petitioners
Mr. Rameshwar Gite for respondent

CORAM : MRS. MRIDULA BHATKAR, J.

DATE : 18th July 2018.

P.C.

This petition is directed against the order dated 16th February 2018 passed by 5th Joint Judge, Senior Division, Pune thereby rejecting the application under Exh.98 in Special Summary Suit No.130 of 2006. The applicants are the defendants who moved the application under section 151 of Code of Civil Procedure, 1908 requesting the Court to call original cheque and promisory note which is in record and proceedings of Criminal Application No.221 of 2011.

2] It is pointed out to me that earlier similar application

Exh.91 was preferred and the trial court had rejected the said application. Against the said order the defendants had filed Writ Petition No.1007 of 2017 in this Court and the same was dismissed by this Court on 14th December 2017. On perusal of the said order, it is seen that same issue raised herein was dealt with by this Court earlier and hence there is no substance in this present petition. Hence, the petition is dismissed.

(MRS.MRIDULA BHATKAR, J.)

Yogeshwar
Bhalchandra
Gokhale

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Yogeshwar
Bhalchandra Gokhale
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