

***IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION***

WRIT PETITION NO.10631 OF 2018

Odet Richard Rodrigues

.. Petitioner

Vs.

Vernon John Pinto & Ors.

.. Respondent

Mr.Rahul D. Motkari for the petitioner.

None for the respondent.

CORAM : R.D. DHANUKA, J.

DATE : 12th October 2018

P.C.:

. Papers are allowed to be produced at 3.00 p.m.

2. The petitioner has impugned the order dated 25th September 2017 passed by the learned trial Judge. The suit is filed in the year 2008. Application filed for declaring a witness to be the hostile and seeking permission to cross-examine the said witness in the suit filed in the year 2008 is rejected. Matter has been placed before the learned trial Judge for final hearing.

3. I am thus not inclined to interfere with the impugned order dated 25th September 2017. The petitioner is permitted to raise this as one of the grounds along with the final judgment and decree if the petitioner is aggrieved by such final judgment and decree under Section 105 of the Code of Civil Procedure, 1908.

4. The petition is accordingly dismissed. No order as to costs. The petitioner is directed to convey this order to the respondent as well the learned trial Judge for record and compliance.

R.D. DHANUKA, J.