

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

WRIT PETITION NO. 7114 OF 2018

Shantaram Natu Badgujar ... Petitioner
V/s.
Bacchandari Govindhari Trivedi
(since deceased) through legal heirs & Ors. ... Respondents

Mr. Prasad B. Kulkarni for the Petitioner.

CORAM : V.L. ACHLIYA, J.
DATE : 29th JANUARY, 2019.

P.C.:

1 Heard.

2 Being aggrieved by the order of rejection of application moved vide the Exhibit 177 to refer the document for the opinion of handwriting expert, the Petitioner/Plaintiff has preferred this Petition.

3 Considering the submission adversed in the light of the order passed, I am of the view that the order passed calls for no interference in exercise of writ jurisdiction under Article 227 of the Constitution of India. The order passed by the learned Judge of the trial Court is reasoned.

There is absolutely no illegality, impropriety and jurisdictional error in the order passed by learned Judge. Learned Judge has specifically observed that the document is not required to be referred for opinion of the handwriting expert to compare and opine as to signature appearing on disputed document with the admitted signature as the comparison can be made by the Court in terms of provisions of Indian Evidence Act, 1872. In that view the impugned order calls for no interference in exercise of writ jurisdiction. Petition is devoid of merit and liable to dismiss. Accordingly the Petition is dismissed.

(V.L. ACHLIYA, J.)