

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

WRIT PETITION NO.2150 OF 2019

Shashishekhar s/o Mahesh Vyas and anr.

-vs-

Radhakishan Toshniwal Public Trust and ors.

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders.

Shri N. R. Tekade, Advocate for petitioners.

CORAM : A.S.CHANDURKAR, J.

DATE : March 15, 2019

Heard.

The defendants seek abatement of the suit on the ground that one of the legal heirs of defendant No.1 has not been impleaded in the suit. The application at Exhibit-157 was made when final arguments were to be made in the suit.

I am not inclined to exercise writ jurisdiction at this stage of proceedings. It is open for the petitioners to contend that the proceedings had abated while arguing the suit finally.

Keeping said contentions open, the writ petition is dismissed. No costs.

JUDGE