

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

WRIT PETITION NO.2151 OF 2019

Ramesh Tarachand Suda, Gandhibag, Nagpur

-vs-

Nagpur Gujrati Bramha Samaj, Thr. its President, Ashokbhai s/o Vasantrai Trivedi

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

Court's or Judge's Orders.

Shri N. G. Jetha, Advocate for petitioner.

CORAM : A.S.CHANDURKAR, J.

DATE : March 15, 2019

The original defendant has challenged the order dated 15/11/2018 by which his application for discarding the affidavit in lieu of additional evidence has been rejected. The trial Court has observed that the defendant had cross-examined the concerned witness after the additional affidavit was placed on record.

Considering this aspect of the matter and in view of the interlocutory nature of the order, I am not inclined to exercise writ jurisdiction. By clarifying that it is open for the petitioner to question the evidentiary value of the affidavits at Exhibits-35 and 39 while arguing the suit finally, the writ petition is dismissed. No costs.

JUDGE