

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

WRIT PETITION NO. 4811/2017

(Janardhan S/o Hiranman Shirsat & anr. ..VS.. Smt. Manorama W/o Gulabrao Oimbe & anr.)

Office Notes, Office Memoranda of Coram,
 appearances, Court's orders of directions
 and Registrar's orders

Court's or Judge's orders

Shri Ranjeet D. Bhuihar, adv. For the petitioners.

CORAM : Z.A.HAQ, J.

DATED : 23rd July, 2019

Heard.

The application (Exhibit 84) filed by the petitioners (original defendants) praying for issuance of witness summons to Talathi is rejected by the impugned order. According to the defendants, they wanted to adduce evidence of Talathi to prove the relinquishment deed executed in their favour. The learned trial Judge has dismissed the application (Exhibit 84) observing that the alleged relinquishment deed is not admissible in evidence as it is not registered and therefore, proving it through the evidence of Talathi cannot be permitted.

I find that the conclusions of the learned trial Judge are proper and cannot be faulted with. It cannot be said that the learned trial Judge has committed any illegality or error of jurisdiction which necessitates interference by this Court in the extraordinary jurisdiction.

Hence, the writ petition is dismissed. No costs.

JUDGE