

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

WRIT PETITION NO. 5573/2019

Rajendra B. Bijwar

..VS..

Nilkanth M. Ther & anr.

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

Court's or Judge's orders

Shri B.J. Lonare, Advocate for the petitioner

CORAM : Z.A.HAQ, J.

DATED : 19/08/2019

Heard.

The application (Exh. 58) filed by the petitioner / defendant praying for issuance of summons to Nagar Parishad, Wardha to produce documents regarding the suit property is rejected by the impugned order. The civil suit is filed by the respondents against the petitioner praying for decree for eviction, possession and other reliefs.

According to the petitioner / defendant, production of the records of the property of the plaintiffs will assist the Court in examining the claim of the plaintiffs for bonafide requirement of the suit property.

In my view, the learned trial Judge has rightly rejected the application observing that the explanation given by the defendant for issuance of summons to Nagar Parishad, Wardha is not satisfactory. I do not find 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