

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

CIVIL APPLICATION (CAW) NO 2876 OF 2019
IN
WRIT PETITION NO.184 OF 2019 (D).

Bhanudas S/o Mahadeo Taksande

-vs-

Eknath S/o Mahadeo Taksande.

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

Court's or Judge's Orders.

Shri S. M. Patrikar, Advocate for petitioner.

Shri O. A. Ghare, Advocate h/f Shri A. M. Ghare, Advocate for respondent.

CORAM : A.S.CHANDURKAR, J.

DATE : October 22, 2019

The petitioner has filed this application seeking clarification of the order dated 02.04.2019. According to the petitioner, while deciding Writ Petition No.184 of 2019 the plaintiff was not permitted to re-open his case and lead further evidence. Since the plaintiff intends to lead further evidence before the trial Court this application for clarification has been filed.

On hearing learned counsel it is seen that the directions in paragraph 5 of the order dated 02.04.2019 are clear and that except the plaintiff, no further witness has been permitted to be examined. The defendant is at liberty to cross-examine the plaintiff in the light of additional evidence that would be led.

Needless to state that any evidence led beyond what has been permitted by order 02.04.2019 would be liable to be discarded by the trial Court.

Civil Application is allowed and disposed of.

JUDGE