

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO.4225 OF 2020
(Panachand Pratap Patil and others Vs. Hanumant Gangadhar Patil)

Mr.V.P.Patil, Advocate for the petitioners.

(CORAM : Ravindra V.Ghuge, J.)

DATE : 20/03/2020

PER COURT :

1. An extreme urgency was expressed and hence the matter was taken up for hearing.
2. I have heard the learned Advocate for the petitioner, original defendants in RCS No.90/2005.
3. By the impugned order dated 15/02/2020, the Trial Court has deferred the hearing of Exhibits 42, 48 and 53 filed by the petitioners and also by the original plaintiff for leading additional evidence and production of new documents.
4. Considering the law laid down by the Hon'ble Apex Court in the matters of Malyalam Plantation Ltd. Vs. State of Kerala [AIR 2011 SC

559], Union of India Vs. Ibrahim Uddin and another [(2012) 8 SCC 148], A. Andisamy Chettiar Vs. A. Suburaj Chettiar [AIR 2016 SC 79] and Jagdish Prasad Patel (Dead) through LR's and another Vs. Shivnath and others [(2019)6 SCC 82], I do not find that the impugned order, deferring the hearing of these applications alongwith the main appeal, cannot be branded as being perverse or erroneous.

5. In view of the above, this petition, being devoid of merit, is therefore, dismissed.

(Ravindra V.Ghuge, J.)