

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

WRIT PETITION NO.1889 OF 2020

**BHIKCHAND KACHARDAS SANKLECHA AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS**

...
Advocate for the Petitioners : Shri M.S.Shaikh h/f Shri Deshmukh Sachin
S.
AGP for Respondents 1 and 2 : Shri S.K.Tambe
...

CORAM: ROHIT B. DEO, J.

DATE : 05th February, 2020

Per Court:

1 Vide the order impugned, the Reference Court has rejected the application preferred by the petitioners/ claimants for recalling the witness and adducing further evidence.

2 Perusal of the application exhibit 86 would reveal that there is no disclosure of the nature of evidence, which is sought to be adduced. The application does not refer to any document as such. The only one line justification is that the evidence adduced by the claimant/ PW-1 is unclear and ambiguous.

3 Considering that no case was made out in the application for recalling PW-1 and the fact that the evidence of all respondents concluded in the year 2012, I do not see any reason to interfere with the order

impugned, in writ jurisdiction.

4 However, it is clarified that if the claimants are aggrieved by the award, they shall be entitled to challenge the order impugned, in the appeal which may be preferred.

5 Subject to the above liberty, this Writ Petition is disposed of.

kps

(ROHIT B. DEO, J.)