

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO.688 OF 2022

VIDHYA SANJAY PATIL AND ANOTHER
VERSUS
KOPARGAON NAGAR PARISHAD THROUGH ITS CHIEF OFFICER
AND OTHERS

...
Advocate for Petitioners : Mr. Kiran M. Nagarkar
AGP for Respondents No.1 and 2 - State : Mr. Y. G. Gujrathi
Advocate for Respondent no.3/Caveater : Mr. Sanket S. Kulkarni
...

CORAM : NITIN B. SURYAWANSHI, J.

DATE : 31-01-2022

PER COURT :-

The petitioner challenges the order passed by the Civil Judge, Senior Division, Kopergaon, below Exhibit-390 in Regular Civil Suit No. 86 of 2006 dated 08.10.2021.

2. On account of framing of additional issues, the plaintiff sought examination of witness by application Exhibit-390, as per Section 30 of the Code of Civil Procedure, 1908. Admittedly, the application filed raising similar contentions and prayer is rejected by the trial Court on 20.09.2021. The suit has proceeded and is now pending for cross-examination of the defendants. The suit is directed to be decided within a stipulated time by this Court. The

trial Court, while rejecting the application has given cogent reasons including that earlier also similar application filed by plaintiff is rejected, the plaintiffs have already led substantial evidence. The trial Court has passed a well reasoned order. No case is made out to warrant any interference in extra ordinary writ jurisdiction of this Court. The writ petition is, therefore, dismissed.

(NITIN B. SURYAWANSHI)
JUDGE

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