

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO.2420 OF 2023

Balaji Ram Kadam

...Petitioner

Versus

Mahadeo Nivruti Kadam And Others

...Respondents

Mr. R.D. Kawade, Advocate for petitioner.

.....

[CORAM : NITIN B. SURYAWANSHI, J.]

DATE : 8th MARCH, 2023

ORDER :

1. The petitioner is aggrieved by judgment and order dated 13.01.2022 passed by learned Civil Judge Junior Division, Lohara, below Exhibit-86 in Regular Civil Suit No. 37/2013.

2. The application was filed by the petitioner praying that the partition deed which is a stamp paper be exhibited. The Trial Court has observed that the prayer of the defendant to exhibit stamp paper shall be considered at the time of judgment on the basis of evidence of Chandrakant (DW).

3. In view of settled legal position, the approach of the Trial Court is perfectly justified. The Trial Court will consider the said application on merits at the time of judgment. There is

no illegality or perversity in the order impugned in the present petition. The writ petition is therefore dismissed.

[NITIN B. SURYAWANSHI, J.]