

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

WRIT PETITION NO.8815 OF 2015

**RAMCHANDRA JAYANT HIWRALE
VERSUS
SAU. NANDA DASHRAT NAVKAR AND OTHERS**

...
Advocate for Petitioner : Mr. Shaikh Mazhar A. Jahagirdar
Advocate for Respondent Nos.2 to 4 : Mr. R.A. Tambe
Advocate for Respondent No.1 : Ms. R.S. Pathak
...

CORAM : NITIN B. SURYAWANSHI, J.

DATE : 04th SEPTEMBER, 2023

PER COURT :

1. Leave to correct the prayer clause.
2. Petitioner is aggrieved by the order dated 28/07/2015, passed by learned 3rd Joint Civil Judge, Junior Division, Shrirampur, below Exhibit-74 in Regular Civil Suit No.176/2011, thereby partly allowing the application filed by petitioner for framing of additional issues.
3. Having heard learned advocates for the respective parties and on going through the memo of writ petition, annexures thereto and the impugned order, this Court does not find any illegality or perversity in the order impugned in present petition.
4. Respondent No.1/plaintiff's status as daughter of Ramchandra is admitted by the defendant/petitioner. Relationship

between the parties is also not in dispute. In these facts, trial Court is justified in partly allowing the application thereby only framing additional issue "*whether the suit is within limitation?*".

5. No case is made out by the petitioner to warrant interference in the impugned order in exercise of extraordinary writ jurisdiction. Writ petition being devoid of merit, is dismissed. Interim relief, if any, stands vacated.

(NITIN B. SURYAWANSHI, J.)