

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

WRIT PETITION NO. 6879/2022

Tikamdas Sukhdeodas Vaishnao

Vs

The Municipal Council, A Body Corporate, Thr. Chief Officer And Another

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Ms Aashta R. Sharma, Adv. h/f Shri P.R. Agrawal, advocate for the petitioner.

CORAM : ANIL S. KILOR, J.

DATED : 02/02/2023

1. Heard the learned counsel for the petitioner.
2. The order below Exhibit-37, dated 31/03/2022, passed by the Civil Judge, Senior Division, Achalpur in Special Civil Suit No21 of 2014 is under challenge.
3. After going through the impugned order and the pleadings made by both the parties, the learned Trial Court did not find it necessary to frame additional issues as sought by the petitioner for complete adjudication of the dispute involved in the suit.
4. It is a settled law that if the Court finds that additional issues are necessary to be framed for complete adjudication of the dispute involved in the suit, the Court shall frame such additional issues at any stage of the proceedings.

5. In this case, the Court has not find it necessary to frame the issues, as sought by the plaintiff, and accordingly, the reasons are recorded to that effect while rejecting the application.

6. After going through the impugned order, I do not find any error or perversity committed by the learned Trial Court. Accordingly, the writ petition is **dismissed**. No order as to costs.

JUDGE