



IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 8848 OF 2017

Vijay Subhashrao Bhale

....Petitioner

VERSUS

Taher Baig Amir & another

.....Respondents

Mr. S. K. Adkine, Advocate for the Petitioner.

CORAM : KISHORE C. SANT, J.

DATE : 1st DECEMBER, 2025.

PER COURT :

1. Heard learned Advocate for the Petitioner for some time. Grievance in the Petition is raised against the order passed by the learned 2nd Jt. Civil Judge Junior Division, Nanded dated 21.02.2017.
2. Petitioner happens to be the Plaintiff. In the suit, Application was filed for recalling of witness to prove copy of notice reply dated 14.11.2012. Plaintiff also wanted to prove the notice reply.
3. The learned Trial Court observed that the Petitioner has filed this Application only after closing of his evidence. It is after four dates of closing of evidence and rejected the Application.

4. Learned Advocate Mr. Adkine vehemently argued that the Plaintiff/Petitioner should get an opportunity to prove the documents in the trial. It is absolutely necessary for coming to the just conclusion. The learned Trial Judge has wrongly rejected the Application. He, thus, prays for allowing the Writ Petition.

5. This Court has gone through the order passed by the Trial Court. No perversity or illegality is found in the order or reasoning assigned by the Trial Court. Petition, therefore, can be conveniently disposed of directing the Trial Court to dispose of the suit i.e. Regular Civil Suit No. 117/2012 as expeditiously as possible and preferably within a period of two months from today, if not already decided.

6. Petition stands disposed of with above directions.

7. Pending Application, if any, does not survive and stands disposed of.

(KISHORE C. SANT)
Judge

dyb