

IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
BENCH AT AURANGABAD

WRIT PETITION NO. 5892 OF 2022

Manik Tukaram Naragwade And Others

VERSUS

Kalindabai Aabasaheb Shinde

...

Advocate for the Petitioners : Mr. Deshmukh Ramraje A.

Advocate for Respondent : Mr. Munde Dhanraj P.

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CORAM : SIDDHESHWAR S. THOMBRE, J.

DATED : DECEMBER 08, 2025

PER COURT :

1. Heard learned counsel for respective parties.
2. By way of present petition, the petitioners challenge the order dated 11.02.2021 passed below Exhibit-5 by the learned Jt. Civil Judge, Junior Division, AUSA in R.C.S. No.408 of 2020, whereby the application filed by the plaintiff under Order 39 Rule 1 and 2 of the Civil Procedure Code came to be allowed. The said order was assailed by the defendants by filing Misc. Civil Application No.03 of 2021. The said appeal was dismissed by order dated 12.04.2022 passed below Exhibit-24 by the learned District Judge-4, Latur.
3. Both the counsels submit that now, the suit is for evidence. Therefore, without going into the merits of the matter as the suit is for evidence, I am not inclined to interfere with the order passed by the learned Trial Court as well as the Appellate Court,

(2)

4. In view of the above, writ petition is dismissed. No order as to costs.

(SIDDHESHWAR S. THOMBRE, J.)

*Mujaheed//*