

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO. 19222 OF 2024

Shantigiri @ Babu Kandekar and ors. ...Petitioners

Versus

Sant Sadguru Janardhan Swami (Maungiri)

Maharaj Sanskarit Shri Rudhyeshwar

Mahadev Trust and ors. ...Respondents

Ms. Rukmini Khairnar, i/b Pramod Joshi, for the Petitioners.

CORAM: N. J. JAMADAR, J.

DATED: 3rd APRIL, 2025

PC:-

1. Heard the learned Counsel for the petitioners.
2. The challenge in this petition is to an order dated 16th October, 2024 passed by the learned Civil Judge, Senior Division, Nashik, whereby an application preferred by the petitioner to expunge the evidence of defendant No.6 from the record of the Court purportedly on the premise that defendant No.6 was cross-examined by the plaintiff beyond his pleadings, came to be rejected.
3. I have perused the said portion of the cross-examination of defendant No.6. The plaintiff has elicited certain admissions in the cross-examination which, in fact, pertain to the matters of fact. It defies comprehension as to

why the admissions, so elicited, are required to be expunged.

The application before the trial court was wholly misconceived.

4. The petition is equally misconceived and frivolous, and, thus, stands dismissed.

[N. J. JAMADAR, J.]