

Arun Vs. Subhash

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Court : Madhya Pradesh

Decided On : Apr-24-2013

Appellant : Arun

Respondent : Subhash

Advocate for Pet/Ap. : Shri. Sanjay K. Agrawal

Judgement :

Arun versus Subhash and others.W.P.

No.6342/13 24/04/13 Shri Sanjay K.

Agrawal, learned counsel for the petitioner.

It is the defendant's petition under Article 227 of the Constitution challenging an inter- locutory order passed by the trial Court rejecting an application under Order 14 Rule 5 C.P.C.

for framing additional issues.

It has been held by the Court that the issues framed are sufficient to decide the disputes between the parties and it is not necessary to frame any additional issue.

The discretion exercised by the Court cannot be termed as perverse, erroneous or illegal to such an extent that interference in the proceedings under Article 227 of the Constitution is called for.

Accordingly, finding no ground to interfere into the matter, the petition is dismissed.

(Rajendra Menon) Judge Vy/-

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