



Suzana

IN THE HIGH COURT OF BOMBAY AT GOA
WRIT PETITION NO.927 OF 2026

H. HUMKICHAND JAIN

... PETITIONER

Versus

JYOTI PRAKASH GHODE AND 6 ORS

... RESPONDENTS

Mr. Preetam Talaulikar, Advocate for the Petitioner.

Mr. C. A. Coutinho, Senior Advocate with Mr. Ivan Santimano,
Advocate for Respondents No. 4 and 5.

CORAM:- S. G. CHAPALGAONKAR, J.

DATED :- 24th August, 2026

ORAL ORDER:

1. This Writ Petition impugns Order dated 17.03.2026 passed by the District Judge-2, Panaji Sitting at Ponda in Civil Suit No.10/2018 whereby the Petitioner's application for production of additional documents came to be rejected.

2. The Petitioner is the original Plaintiff in the Suit. He instituted Suit seeking relief for declaration of ownership of the plot and also for directions to register the Sale Deed. It is the case of the Petitioner that he acquired ownership of the suit plot in pursuance of a registered Sale Deed dated 18.06.1985 executed by late Prakash Ghode for consideration of Rs.32,845/- (Rupees Thirty Two Thousand Eight Hundred and Forty Five only),

however Petitioner could not collect the copy of the Sale Deed. Defendants are disturbing his possession, which compelled him to file present Suit

3. The Petitioner entered into the Witness Box and, after recording of his evidence, he tendered an application seeking permission to produce additional evidence. The Trial Court rejected the Petitioner's application observing that the documents which are proposed to be produced are not relevant for deciding the controversy in the Suit.

4. Learned Advocate appearing for the Petitioner submits that the copy of Sale Deed dated 18.06.1985 was not on record. However, by Order of this Court dated 06.08.2026 passed in Miscellaneous Civil Application No.350 of 2026 in Writ Petition No.634 of 2024, the Petitioner is permitted to produce a carbon copy of the Sale Deed on record. The Petitioner wants prove the signature on Sale Deed in comparison to the Sale Deeds dated 20.04.1987 executed by the Petitioner's vendor in favour of Mr. Niranjana Jain and Anil Jain. The Learned Senior Advocate appearing for Respondents submits that the Petitioner had knowledge of the aforesaid documents, however, the same have been produced at a belated stage without tendering any explanation for the same.

5. Considering submissions advanced by Learned Advocate appearing for respective parties, this Court finds that atleast two Sale Deeds dated 20.04.1987, which are executed by the Petitioner's vendor in favour of Niranjan Jain and Anil Jain, should be relevant for the purpose of deciding the controversy between the parties and particularly when the signatures on the Sale Deeds dated 20.04.1987 are admitted to Respondents. In that view of the matter, this Court finds that interest of justice would be served if the Petitioner's application for production of documents is partly allowed to the extent of production of Sale Deeds dated 20.04.1987. Since, execution of the aforesaid documents is admitted by the Respondents, same can be admitted in evidence and exhibited. The parties need not record any further evidence in the Suit and may proceed to make final submissions.

6. In result, the Writ Petition is partly allowed by modifying impugned Order in aforesaid terms.

S. G. CHAPALGAONKAR, J.