



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

WRIT PETITION NO. 1728 OF 2026

Kunal Subhash Kshirsagar .. Petitioner

Versus

Sou Jayashri Kunal Kshirsagar .. Respondent

Shri Sarvajit B. Patil, Advocate for the Petitioner through V.C.

CORAM : SHAILESH P. BRAHME, J.

DATE : 10TH JULY, 2026.

FINAL ORDER :

. The petition is emanating from orders passed below Exhibit 53 and the report at Exhibit 58.

2. The petitioner is prosecuting Hindu Marriage Petition bearing Petition No. A-214 of 2021 for dissolution of marriage between the petitioner and the respondent before the Family Court at Kolhapur. Application Exhibit 53 was submitted by him to direct the respondent to submit herself for medical examination. She consented for the same. Accordingly order was passed below Exhibit 53 on 16.11.2024 issuing the directions. Thereafter medical examination of the respondent was conducted and the report was submitted, which is at Exhibit 58. The grievance of the learned counsel for the petitioner is that the report is cryptic, inadmissible and liable to be discarded.

3. Learned counsel concedes that order below Exhibit 53 is in his client's favour and only challenge is to the medical report Exhibit 58. The probative value of the report can be tested during the course of the trial. In the writ jurisdiction, this Court cannot assess the probative value of any documentary evidence in this manner.

4. The writ petition is disposed of with a liberty to the petitioner to question the probative value of the report at Exhibit 58. All points are kept open.

[SHAILESH P. BRAHME J.]

bsb/July 26