

IN THE HIGH COURT OF BOMBAY AT GOA

WRIT PETITION NO. 266 OF 2015

MULTIPLE EXIM PVT. LTD, REP. BY
ITS DIRECTOR MR.ROHIT KUMAR.

... Petitioner

Versus

ASIA STEEL AND METALS LTD.,
THROUGH POA DINANTH DAMANIA AND
ANR.,

... Respondents

Mr. Yogesh V. Nadkarni, Adv for the petitioner.
Mr. A. Rajadhyakshy, Senior Advocate with Mr. Z. Barucha and Mr.
Shivan Desai, Advocates for the respondent No.1.
Mr. P. Bhandodkar, Advocate for the respondent NO.2.

Coram:- F. M. REIS, J.

Date:- 24th July, 2015

P.C.:

Heard Mr. Y.V. Nadkarni, learned Counsel appearing for the petitioner and Mr. A. Rajadhyakshya, learned Senior Counsel appearing for the respondent No.1 and Mr. P. Bhandodkar, learned Counsel appearing for the respondent No.2.

2. Upon hearing the learned Counsel appearing for the respective parties, and taking note of the challenge to the impugned order passed by the learned Civil Judge, Senior Division, Vasco da Gama, dated 3/3/2015 in Special Civil Suit No.22/2010/A, I find that at this stage the question of interference in the impugned order under Article 227 of the Constitution of India is not at all necessary. But, however, as there were submissions advanced by the learned

Counsel to contend that the document which has been exhibited in the cross examination as some questions were put to the witness, based on such document, the contents thereof have to be established, I find it appropriate to clarify that merely exhibiting such documents does not prove the contents thereof. Evidentiary value of such document and the truthfulness of the contents thereof are matters to be decided by the learned Judge while deciding the suit on merits. The evidentiary value and the truthfulness of the contents thereof will have to be established in accordance with law by the party who desires to rely on such documents.

4. With such clarification, the petition stands disposed of. Liberty to the petitioner to challenge the impugned orders, in case any adverse orders are passed at the time of final disposal of the suit on merits.

F. M. REIS, J.

ssm.