

Sequeira

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

WRIT PETITION NO. 2934 OF 2015.

Mr.Kishor Gokul Gada.

.. Petitioner

Vs.

Purshottamlal Mahavir Prasad Rungta
(since deceased) through legal heirs
Nirmal Kumar S/o Purshottam
Rungta & anr.

.. Respondents

***Along with*
WRIT PETITION NO. 2935 OF 2015.**

Mr.Arvind Popatlal Shah.

.. Petitioner

Vs.

Purshottamlal Mahavir Prasad Rungta
(since deceased) through legal heirs
Nirmal Kumar S/o Purshottam
Rungta & anr.

.. Respondents

***Along with*
WRIT PETITION NO. 2936 OF 2015.**

Mr.Ketan Gokul Gada.

.. Petitioner

Vs.

Purshottamlal Mahavir Prasad Rungta
(since deceased) through legal heirs
Nirmal Kumar S/o Purshottam
Rungta & anr.

.. Respondents

***Along with*
WRIT PETITION NO. 2939 OF 2015.**

Mr.Deven Popatlal Shah.

.. Petitioner

Vs.

Purshottamlal Mahavir Prasad Rungta

(since deceased) through legal heirs
Nirmal Kumar S/o Purshottam
Rungta & anr.

.. Respondents

Ms Pratibha Shelke i/b Mr.P.J.Thorat, for the Petitioner in all
petitions.
None for Respondents.

***CORAM: N.M.Jamdar J.
Wednesday 25 March, 2015***

PC.:

By these petitions, the Petitioner challenges the order dated 21 November 2014 passed by the learned Small Causes Court Mumbai, taking certain photographs produced by the Respondent-landlord on record and marking them as Exhibits.

2 The learned counsel for the Petitioner submitted that the photographs are not of the suit premises and the requisite procedure for the purpose of exhibiting them has not been followed.

3 The Petitioner had filed a revision before the appellate bench of Small Causes Court, which has been dismissed as not maintainable holding that the impugned order being procedural is not revisable.

4 The impugned order exhibiting certain documents is procedural and the Petitioner can advance all the submissions as

regards the evidentiary value of these photographs including the admissibility at the time of trial. If this clarification is given adequate protection is available to the Petitioner and the Writ petitions need not be entertained. The Writ petitions are rejected, with the above clarifications.

(N.M.Jamdar J.)