

IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CIVIL APPELLATE JURISDICTION

**CIVIL APPLICATION NO.2981 OF 2014**  
**IN**  
**FIRST APPEAL NO.360 OF 2013**

Ramesh Rammurat Gupta

... Applicant

Vs.

Ramprasad Rammurat Gupta & Ors.

... Respondents

Mr.Ashutosh Kaushik i/b M/s.Kaushik & Co. for the Applicant

Mr.P.R. Suryawanshi i/b G.M. Savagave for Respondent Nos.1, 2 & 3

**CORAM: MRS.MRIDULA BHATKAR, J.**

**DATE: 11<sup>th</sup> DECEMBER, 2015**

**P.C.:**

1. This application is moved for withdrawal of the documents which are filed by the applicant i.e., the appellant, who is the original plaintiff in the suit. He wants to withdraw those documents to file the same in L.E. Suit No.129 of 2008 which is pending before the C.R. No.33 of the Small Causes Court. The said suit is filed by Smt.Sahodara Rammurat Gupta, the mother of the applicant against him. It is mentioned that he has given an unconditional undertaking that he will produce these documents as and when required by this Court. The learned Counsel for the applicant produces an additional affidavit on behalf of the applicant (appellant) in support of his withdrawal of the documents.

2. Learned Counsel for the respondents is present.
3. The undertaking given by the applicant is accepted. In view of the additional affidavit and the undertaking given by the applicant, the application is allowed. The documents which are listed in exhibit A to the application are allowed to be withdrawn. However, the Section Officer, First Appeal branch, is directed to take out legible photocopies of all these documents and upon verification, certify them to be true and substitute the certified copies in place of the original documents.
4. Civil Application stands disposed of.

**(MRIDULA BHATKAR, J.)**