

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 6712 OF 2014

Shri. Janardan Ramchandra Choudhari and ors. .. Petitioners

vs.

Sunil Ramchandra Choudhari and anr. .. Respondents

None present for the Petitioners.

CORAM : M. S. SONAK, J.

DATE : 1 April, 2015.

P.C. :-

1] When this matter was called out on 22 September 2014, none appeared for the petitioners.

2] Today, when the matter is called out, again none appeared for the petitioners.

3] The impugned order rejects the petitioner's application under Order 11 Rule 14 of the CPC, for directing the original defendant No.1 to produce Will dated 25 November 2006 executed by late Ms Sushila Choudhari.

4] The impugned order records that defendant No.1 has never admitted the possession of the original Will. Further there is no evidence that such Will is in the possession of defendant No.1.

5] In view of the aforesaid, the learned Civil Judge was right in rejecting the application under Order 11 Rule 14 of the CPC.

6] There is no jurisdictional error in making the impugned order. Hence, this petition is dismissed. There shall be no order as to costs.

(M. S. SONAK, J.)

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