

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR

Writ Petition No.5333 of 2014

(J.J. Patel and Company, Ahmedabad, through its Director v. Ajaz Ahmed
s/o Aziz Ahmed)

Office Notes, Memoranda of Coram,
appearances, Court's orders or directions Court's or Judge's orders
and Registrar's order

Shri S.P. Bhandarkar, Advocate for Petitioner.
Shri M.G. Sarda, Advocate for Respondent.

Coram : R.K. Deshpande, J.

Dated : 22nd January, 2015

The order impugned dated 4-8-2014 passed by the Trial Court permits the respondent-plaintiff to lead secondary evidence in respect of the documents, viz. agreement dated 3-5-2008 and quotation dated 20-4-2008. The order is interlocutory in nature and does not call for any interference at this stage. However, it is clarified that it shall be open for the petitioner-defendant to challenge this order in regular civil appeal in the event if any such occasion arises, and obviously if the petitioner-defendant succeeds in convincing the Appellate Court that the order impugned should not have been passed, the evidence, if at all led, can be ignored.

With these observations, the petition is dismissed. All questions are left open to be agitated by all the parties.

Judge.

Lanjewar