

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
BENCH AT AURANGABAD**

WRIT PETITION NO.6483 OF 2015

Ramesh s/o Vithalrao Karandikar
and anr.

..Petitioners

Versus

Smt. Suman wd/o Manohar Apte
and ors.

..Respondents

Mr K.C. Sant, Advocate for petitioners
Mr N.V. Madne, Advocate for respondents No.1 to 3

CORAM : T.V. NALAWADE, J.

DATE : 24th August 2016

PER COURT

Both sides are heard.

2. The submissions made show that the trial Court rejected the application on the ground that there is nothing with the plaintiffs qua present petitioners to show that said document was in existence and it was produced in previous proceeding. The submissions made show that the trial Court can re-consider such prayer provided that the conditions laid down under Section 65 of the Evidence Act are complied with by the plaintiffs. This Court holds that the plaintiffs can make such submission before the trial Court and the trial Court may consider and decide the application on its merits.

3. Writ Petition stands disposed of in above terms.

(T.V. NALAWADE, J.)

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