

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 1241 OF 2016

MADHUKAR ANANDRAO KAMBLE
VERSUS
VYANKATRAO CHANDRAJI MEKALE AND OTHERS

...
Advocate for Petitioners : Mr. M.R. Sonwane h/f Mr. S.B. Ghatol Patil
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CORAM : V. K. JADHAV, J.
DATED : 4th FEBRUARY, 2016

PER COURT:-

1. Heard.
2. The petitioner-original defendant No.1 has challenged the order passed by Principal District Judge, Parbhani dated 19.10.2015, below Exh. 161 and 163. The respondents-plaintiffs had filed application at Exh.161 for issuance of directions to the petitioner-defendant No.1 to produce original meeting Register of Maharashtra Matang Vikas Mahamandal for the period of 1995-96, as the witness has denied signature on the certified copy of Resolution dated 6.8.1996. Vide Exh.163, however, the petitioner-defendant No.1 produced the document dated 6.7.1996 and prayed for production of the same. After hearing both sides, the Principal District Judge, has observed that in order to compare the signature of petitioner-defendant No.1 of the relevant period, the said register of the year 1996 is required to be produced before the Court. Even liberty is also granted to the

petitioner-defendant No.1 to retain photo copy of the said register. The learned Principal District Judge has also observed that so far as documents produced alongwith Exh.163 is concerned, it is difficult to say whether the document is original or photo copy and even it cannot be said that it has not come from the proper custody. It is further observed in the impugned order that even original Resolution of the concerned period is brought on record and if the same is made available, then there is hardly any necessity to look into the papers such as produced alongwith application Exh.163.

3. In the light of above, I do not find any fault in the impugned order passed by the learned Principal District Judge, Parbhani dated 19.10.2015 below Exh.161 and 163. The petitioner-defendant No.1 has unnecessarily filed present writ petition for which petitioner is required to be saddled some costs.

4. In the result, writ petition is hereby dismissed with costs of Rs.1000/-, to be deposited by the petitioner within a week from today. The cost amount to be deposited with the High Court Legal Services Sub Committee, Aurangabad.

(V. K. JADHAV, J.)

rlj/