

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 1510 OF 2016**

Deepak Udharam Thakur

..Petitioner

Vs.

Jani Estate Developers Pvt. Ltd.

..Respondent

Mr. Mandar Limaye for the Petitioner

Ms Shirin Merchant for the Respondent

CORAM : R. M. SAVANT, J.

DATE : 4th FEBRUARY, 2016

P.C.

1 The order dated 19-12-2015 passed by the Learned 2nd Additional Judge Small Causes Court and Joint Civil Judge Senior Division, Pune,, rejecting the application Exhibit 183 is taken exception to by way of the above Petition. By the said application, the Petitioner / Defendant was seeking directions that the Plaintiff be directed to furnish the documents which have been got produced through the witness summons being issued to the concerned persons to produce the said documents. The Trial Court has rejected the said application on the ground that the said documents have been got produced through witness summons and therefore the Plaintiff cannot be directed to furnish the documents to the Petitioner / Defendant.

2 In my view, no exception could be taken to the reasons mentioned

by the Trial Court for rejecting the said application Exhibit 183. However, it would be open for the Petitioner to take inspection of the said documents prior to cross-examining the Plaintiff and if any such request is made, the Trial Court would consider the same appropriately. The Writ Petition is accordingly disposed of.

[R.M.SAVANT, J]