

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

Writ Petition NO. 7289 OF 2016

Shri Shitlaprasad Devnarayan Yadav
(decd.) Through Lrs.

...Petitioners

Versus

Shri Kannamala Mathew Verghese

...Respondent

....

Mr.R.S. Yadav, Advocate for the Petitioners.

Mr.T. Antony Koshy, Advocate for the Respondent.

....

CORAM : R. G. KETKAR, J.

DATE : 25th August, 2016

P.C.

1. Heard Mr. R.S. Yadav, learned Counsel for the petitioners and Mr.T. Antony Koshy, learned Counsel for the respondent, at length.

2. By this Petition under Article 227 of the Constitution of India, the petitioners have challenged the judgment and order dated 22.4.2016 passed by the learned trial Judge, presiding over Court Room No.32 of the Court of Small Causes at Bombay (Bandra Branch) below Exhibit-125 in T.E. & R. Suit No.72/93 of 2012. By that order, the learned trial Judge rejected the application taken out by plaintiff No.1(c) for exhibiting the documents filed in the compilation of the documents.

3. For the reasons recorded in paragraphs-4 and 5 of the impugned order, I do not find that any case is made out for invocation of powers under Article 227 of the Constitution of India. It will be open to the plaintiffs to examine the handwriting expert who has prepared the report in relation to the documents to prove the contents therein. Subject to this, Petition fails and same is dismissed.

(R. G. KETKAR, J.)

Deshmane (PS)