

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

APPEAL FROM ORDER NO.967 OF 2015

Smt.Ramubai Krishna Patil & Ors. ... Appellants

Vs.

Barki Bhurya Patil & Ors. ... Respondents

Mr.Rajesh Kachare a/w Laxman Jain i/b CORPSLEGAL for the Appellants
Mr.N.V. Walawalkar, Sr.Advocate i/b Shri Jeetendra Sachdev for
Respondents

CORAM: **MRS.MRIDULA BHATKAR, J.**

DATE: **29th FEBRUARY, 2016**

P.C.:

1. This appeal is preferred against the order dated 15.5.2015 passed by the learned Additional Sessions Judge, Alibag-Raigad in Civil Appeal No.264 of 2013 below exhibit 14. It was an application filed under Order 41 Rule 27 of the Civil Procedure Code for production of additional evidence and it was rejected.
2. Perused Order 43 of the Civil Procedure Code. Any order passed under Order 41 Rule 27 is not appealable under Order 43 of the Civil Procedure Code. Hence, this appeal is not maintainable.
3. The appeal is accordingly allowed to be withdrawn with liberty to take out appropriate proceedings and dismissed as such.

(MRIDULA BHATKAR, J.)