

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.185 OF 2016
IN
FIRST APPEAL NO.425 OF 2010

Rehana Abdeali Kesuri

... Appellant

Vs.

Laxman Babu Parmar

... Respondent

Ms.Bhavika nemivale i/b Ms.J.P. Thakkar for the Appellant

CORAM: MRS.MRIDULA BHATKAR, J.

DATE: 3rd MARCH, 2016

P.C.:

1. Not on Board. Upon mentioning, taken on Board.
2. The application is moved for withdrawal of the documents which were filed in the S.C. Suit No.97 of 2008 and now pending before this Court in First Appeal No.425 of 2010. It is prayed that the documents, which are mentioned in the list, marked exhibit B to this application, be allowed to be withdrawn. The learned Counsel for the appellant submits that these documents were filed by the applicant i.e., the original defendant in the suit. The suit is dismissed. She submits that the applicant is also litigating before the Small Causes Court and for that purpose, these documents are important and are required to be filed. Permission is, therefore, sought to withdraw the same.

3. None present for the other side, though served.
4. Perused the list B. It appears that there are 17 documents. However, some of them are exhibited collectively.
5. In view of the above, the applicant is allowed to withdraw all the documents on undertaking that the applicant shall produce all the original documents before this Court at the time of hearing of the First Appeal and as and when directed by this Court. The applicant is directed to produce legible photocopies of all these documents before the Assistant Registrar, First Appeal branch of this Court, who shall compare the photocopies with the originals and certify them as true copies and keep them in the record. The Assistant Registrar is directed to allow the applicant to take out photocopies of all these documents under supervision of the staff of this Court.
6. Civil Application is disposed of accordingly.

(MRIDULA BHATKAR, J.)