

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.601 OF 2016

Farouk Merwan Irani.] ... Petitioner

Versus

Abbas Ali Talebi and Ors.] Respondents

Ms. Ranjana Parikh a/w Kavita A. Shah for Petitioner.

CORAM :- M. S. SONAK, J.

DATE :- JANUARY 27, 2016

P. C. :-

1. Not on board. Upon production, taken on board.
2. The challenge in this petition is to the order dated 29/08/2015 to the extent, certain documents have not been marked as exhibits in the evidence.
3. At this stage, it is not necessary to exercise supervisory jurisdiction under Article 227 of the Constitution of India in the matter of this nature.
4. In case, R.A.E. Suit No.230/458 of 1998 is decided against the petitioner-plaintiff, and the petitioner chooses to institute substantive appeal against such decision, the petitioner is always

entitled to challenge the order impugned in this petition, in such substantive appeal. In any case, by way of abundant caution, it is clarified that such liberty is granted to the petitioner.

5. In view of the aforesaid, this petition is not entertained, with the liberty as aforesaid. There shall be no order as to costs.

6. It is made clear that nothing in this order should be construed as a bar to the petitioner taking out applications for permission to lead secondary evidence or additional evidence. Such applications, if made, may be considered in accordance with law and on their own merits.

(M. S. SONAK, J.)