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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
NOTICE OF MOTION NO.1677 OF 2016
IN
APPEAL NO.332 OF 2016

Mrs.Abha Dastane Rao & Anr. ...Applicants
vs.
Prabhakar Deolankar & Ors. ...Respondents

Ms Abha Dastane Rao the first applicant in person
Mr.S.N.Chandrachud for the respondent No.1
Mr.Hemant Ghadigaonkar for respondent no.3
Mr.Pramod J. Pawar for respondent No.4

CORAM : A.S.OKA, &
A.A.SAYED,JJ.
DATE : JULY 13, 2016

P.C.:

1 Heard the first applicant appearing in person and the learned counsel for the first respondent. Perused the affidavit in support.

2 Considering the subject matter of the main appeal, in our view, the present Notice of Motion will have to be allowed by exercising power under sub Rule (1) of Rule 27 of Order XLI of the Code of Civil Procedure,1908.

3 However, we make it clear that the issue of relevancy and proof of documents permitted to be produced by the applicants is expressly kept open.

4 Accordingly, Notice of Motion is disposed of by passing the following order:

(I) Notice of Motion is made absolute in terms of prayer clause (a) subject to clarification that the issue of genuineness, proof and relevancy of documents is kept open which will be considered when the appeal is heard.

(A.A.SAYED,J.)

(A.S.OKA,J.)