

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR

Writ Petition No.2316 of 2016
(Pravin Yadavrao Rangari and others v. Ramesh Punjaji Patil, through his
POA Baburao Urkudaji Meshram)

Office Notes, Memoranda of Coram,
appearances, Court's orders or directions Court's or Judge's orders
and Registrar's order

Shri N.B. Jawade, Advocate, holding for Shri A.R. Tichkule,
Advocate for Petitioners.

Shri Rajesh A. Bagde, Advocate for Respondent.

Coram : R.K. Deshpande, J.

Date : 17th October, 2016

The objection raised by the petitioners for exhibiting the power of attorney has been rejected by the Trial Court. The Trial Court has held that the signature on the power of attorney has been established and, therefore, the document is marked as Exhibit 89. The Trial Court has not yet considered the effect of Section 85 of the Indian Evidence Act read with Section 17 of the Indian Registration Act. The Court has held that such question can be decided in the light of the evidence on record. Hence, on the question of admissibility of the document in evidence, the Trial Court has not yet rendered any decision. It is, therefore, open for the petitioners to urge that such document is not admissible in evidence and it shall be considered on its own merits by the Trial Court. Thus, there is no need to interfere in the impugned order.

The petition is dismissed.

Judge.

Lanjewar