

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (227) No.61 of 2015**

Amar Singh Matolia S/o Late Kodulal Matolia Aged About 51 Years R/o Kotma Kalri, District Anuppur (MP).

---- Petitioner

Versus

1. South Eastern Coalfields Limited & Anr. S/o Seepat Road, Bilaspur, Through Mukhya Mahaprabhandak (C.M.C.) South Eastern Coalfields Limited, Bilaspur (CG).
2. South Eastern Coalfields Limited Johila Area, Nauraozabad District Umaria (M.P.), Through Mukhya Mahaprabandhak (S.E.C.L.) Johila Area, Naurazabad, District Umaria (MP).

---- Respondents

For Petitioner : Mr. Rajeev Bharat, Advocate
 For Respondents : Mr. Vaibhav Shukla, Advocate

Hon'ble Shri Justice Sanjay K. Agrawal
Order On Board

20/09/2017

(1) Learned counsel appearing for the petitioner would submit that the trial Court by its impugned order dated 08.07.2014 and 27.10.2014 has rejected the petitioner's application on the ground that the documents filed is a photocopy of the original documents, therefore it cannot be admitted.

(2) On the other hand, learned counsel appearing for the respondents would support the impugned order and oppose the submission made by learned counsel for the petitioner.

(3) I have heard learned counsel for the parties and perused the impugned order.

(4) Admittedly, the document is a photocopy of the original document, which ought to have been allowed by the trial Court to take on record granting opposite side to object the admissibility at the time of evidence. Accordingly, the impugned order is set-aside. Documents be taken on record. However, the respondents herein are free to take objection with regard to admissibility at the time of evidence.

(5) Consequently, the writ petition is allowed to the extent indicated hereinabove. No order as to costs.

Sd/-

(Sanjay K. Agrawal)
Judge

L/-