

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 10905 OF 2017

UDHAV PANDURANGRAO YEROLKAR
VERSUS
PANDURANGRAO HANMANTRAO YEROLKAR AND OTHERS

...
Advocate for Petitioners : Mr. Deshpande Dhananjay P.
Advocate for Respondents : Mr. V.G. Kodale
.....

CORAM : V. K. JADHAV, J.
DATED : 20th NOVEMBER, 2017

PER COURT:-

1. Heard.

2. I do not find any substance in this writ petition. The petitioner original plaintiff has placed his reliance on the document which has not been executed or signed by an party. The plaintiff has examined a scribe and insisting the trial court to exhibit the aforesaid document. The respondent-original defendant has rightly raised objection by filing application below Exh.120.

3. Learned counsel for the petitioner submits that in fact the petitioner is not relying upon the said document to prove his claim regarding partition and the said document is placed on record for some collateral purpose to indicate that a meeting has taken place between the parties and in terms of the discussion and decision taken in the said meeting, the memorandum has been prepared.

4. I do not find any substance in the submissions made on behalf of the petitioner. The document is not executed or signed by any party. Merely on the basis filing of such document, the same cannot be exhibited. Learned Judge of the trial court has therefore rightly allowed application Exh.120. I do not find any substance in the writ petition. Writ petition is disposed of.

(V. K. JADHAV, J.)

rlj/