

(1)

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

WRIT PETITION NO.3498 OF 2016

Mahendra s/o Vitthal Thombre ..PETITIONER

VERSUS

Shankuntala w/o Dagadu Targale
and ors. ..RESPONDENTS

Mr S.V. Natu, Advocate for petitioner;
Mr U.A. Bhadgaonkar, Advocate for respondent

CORAM : NITIN W. SAMBRE, J.

DATE : 29th September, 2017

ORAL ORDER:

Having heard respective Counsel for some time, the parties are in agreement that issue as is decided by the order impugned can be raised at the time of final hearing of Regular Civil Suit No.937 of 2009, in the light of the judgment of the Apex Court, in the matter of **Bipin Shantilal Panchal Vs. State of Gujarat & anr.**, reported in **(2001) 3 SCC 1**.

2. In view of above position of law, writ petition stands disposed of with liberty to the petitioner to canvass the issue as regards exhibiting and admissibility of the document, raised in application Exh.81, at the time of final hearing of the suit.

(NITIN W. SAMBRE, J.)

amj