

IN THE HIGH COURT OF JUDICATURE OF BOMBAY  
BENCH AT AURANGABAD

23 CIVIL APPLICLATION NO. 13068/2010  
IN  
FIRST APPEAL NO.949/2010

SMT MANGALABAI BHART MALI (MAHAJAN) AND ORS  
VERSUS  
HARDEEPSINGH DARASINGH AND ORS

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Advocate for Appellants : Mr. Bhokarikar Madhav M  
Mr. Deshmukh Mahesh S. For Resp.No. 2

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**CORAM : P.R.BORA, J.**

**DATE : 6<sup>th</sup> June, 2017.**

**PER COURT :**

1) The applicant/appellant has filed the present application, seeking leave to file the Driving License of the deceased on record. Shri Bhokarikar, learned counsel appearing for the applicant/appellant submitted that in spite of due diligence being shown by the applicant and despite all efforts taken by the applicant to search out the said document, the driving licence could not be traced out and as such, was not produced on record by the applicant.

. The learned Counsel further submits that

now the said document has become available and the applicant needs to be permitted to file the said document on record.

2) Shri Deshmukh, learned Counsel appearing for the respondent has opposed for granting such permission. The learned Counsel submits that there is nothing on record to show that any such effort was made by the applicant/appellant to file the present document on record during the course of the trial of the claim petition. In absence of any such reason assigned by the applicant, the application cannot be allowed.

3) After having considered the submissions advanced by the learned Counsel appearing for the parties, it appears to me that sufficient reason has been assigned by the applicant for not filing the document on record during the course of hearing of the Claim Petition. Moreover, it does not appear to me that any prejudice is likely to be caused to either of the parties if the

applicant/appellant is permitted to file the document on record. I am, therefore, inclined to allow the present application and it is accordingly allowed. The civil application stands disposed of.

. Place the appeal after two weeks.

**(P.R.BORA,J.)**

bdv/