

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO.5364 OF 2017

Sarika Mahendra Surekha

..Petitioner

Vs.

Mahendra Rajkumar Surekh

..Respondent

Mr. Satish Borulkar i/b Mr. M. S. Mhambrey for the Petitioner.

Mr. R. T. Lalwani i/b Mr. Prakash Mahadik for the Respondent.

CORAM : R. M. SAVANT, J.

DATE : 9th MARCH, 2017

P.C.

. The order dated 7/2/2017 passed by the learned Judge of the Family Court, Bandra, Mumbai allowing the Application Exhibit 193 filed by the Respondent herein i.e. the Petitioner in Marriage Petition No. A/1270/2011 thereby exhibiting the documents mentioned in the impugned order has taken exception to by way of the above Petition.

2. Though by the impugned order the learned Judge has directed exhibition of the documents in question, the learned Judge at the same time had observed in paragraph 6 as follows (excerpt):

“No doubt, she has absolute right to argue upon or to file notes of argument about documents ordered to be exhibited and for that purpose, I find that there should not be objection even from petitioner's side.”

3. In view thereof, it is not necessary to interfere with the impugned order. The above Writ Petition can be disposed of by issuing the following directions:

i) That the contentions of the Petitioner that the documents which have been exhibited are not proved in accordance with law is kept open for being urged at the hearing of the said Marriage Petition No.1270/2011. If the said contention or contentions are raised, the learned Judge would deal with the same in accordance with law.

4. With the aforesaid observations, the above Writ Petition is disposed of.

[R.M.SAVANT, J]