

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

WRIT PETITION NO.7466 OF 2017

Shri.Subhas Amrut Patil

...Petitioner

Versus

Sou.Rupali Subhash Patil

...Respondent

.....
Mr.Manoj Patil for the Petitioner.

.....
**CORAM: Mrs.MRIDULA BHATKAR, J.
DATED: JULY 04, 2017**

P.C. :

1. Not on board. Upon mentioning, taken on board.
2. Rule. Rule made returnable forthwith. By consent, petition is heard finally and disposed of at the stage of admission.
3. This petition is directed against the order dated 23.01.2017 passed by the learned Principal Judge, Family Court, Kolhapur and the order dated 15.03.2017 passed by the learned Principal Judge, Family Court, Kolhapur to review the order dated 23.01.2017 passed below Exhibits 135 and 144.
4. The respondent-wife has called upon the petitioner-husband to produce partnership agreement, ration card and memorandum of

understanding. The petitioner-husband has filed a Divorce Petition on the grounds of desertion, cruelty, opposed application and sought clarification that how the respondent-wife came in possession of the said documents. The learned Judge has allowed the said application and directed the petitioner-husband to produce the documents thereof. The petitioner-husband has filed a Review Petition of the said order and it was also rejected.

5. The learned counsel for the petitioner submits that the respondent-wife has filed an application under Order 11 Rule 14 of the Code of Civil Procedure. He further submits that under Order 11 Rule 14 of C.P.C., such production is not allowed. The Court needs to see whether the documents asked for are related to the subject matter of the proceedings. He further submits that the partnership deeds and ration card are not concerned with the subject matter of the petition and the learned Judge ought to not have allowed this application in view of the scope of Order 11 Rule 14 of C.P.C. He further submits that the stage under Order 11 Rule 14 of C.P.C. is over, as the parties are in the box.

6. Perused the order dated 23.01.2017 passed by the learned Judge is a well reasoned order. It does not require any interference.

Moreover, the documents are produced before the Family Court who is governed under Family Courts Act, 1984 whether procedure laid down in the CPC is flexible and the Family Court can lay down its own procedure to meet the end of the justice.

7. In view of the above, Writ Petition is summarily dismissed.

(MRIDULA BHATKAR, J.)