

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 9354 OF 2017

The Indian Express Ltd., .. Petitioner.
v/s.
Mr. Subhash K. Hira
& Others .. Respondents.

Mr. Nitin Deshpande with Mr. Amol Joshi i/b. Poorvi Kamani, for the
Petitioner.
Mr. Yashpal Jain with Suprabha Jain and Ms. Harshita Joglekar I/b.
Haresh Jagtiani & Associates, for Respondent No.1.
Mr. P. M. Arjunwadkar, for Respondent No.3.

CORAM: M.S.SANKLECHA, J.

DATE : 25th SEPTEMBER, 2017.

P.C:-

This Petition has been moved for urgent reliefs by the
Petitioner. Mr. Deshpande states that all the parties have been served.

2 This Petition challenges the order dated 5th April, 2017 passed
by the Ad-hoc City Civil Judge at Bombay. By the impugned order, the
Respondents; application, seeking permission to file original documents
relating to the subject matter of the suit, has been allowed.

3 The impugned order records the fact that the suit as filed by
the Plaintiff is for compensation/ damages on account of defamation. The
impugned order records that these documents which are being relied
upon are documents which are relating to the controversy arising in this
suit. The impugned order grants liberty to the Petitioner to file their

documents and does not do away with the necessity of the proving contents of the documents. In the application, the Trial Court had stated that these very documents have been disclosed in their affidavit of documents dated 31st July, 2015.

4 In the above view, the impugned order has taken a possible view in the facts arising in the present case. Therefore, no interference in my supervisory jurisdiction under Article 227 of the Constitution of India, is warranted.

Petition dismissed in the above terms. No order as to costs.

(M.S.SANKLECHA,J.)