

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
BENCH AT NAGPUR**

CIVIL APPLICATION NO.1691 OF 2017
IN
FIRST APPEAL NO.1090 OF 2011

Vijay s/o Deorao Patil
and ors.

..Applicants

Versus

Western Coal Fields Ltd.,
through its Chief General
Manager, Nagpur area,
P.O. Jaripatka, Nagpur

..Respondent

Mr M.W. Charde, Mr O.W. Gupta and Mr V.V.Bhangale, Advocates for
applicants

Mr S.C. Mehadia, Advocate for respondent

CORAM : N.W. SAMBRE, J.

DATE : 24th April 2017

PER COURT

1. This application is under Order XLI, Rule 27 of the Code of Civil Procedure seeking permission to rely upon order of public authority (Tahsil Kamthi) passed on 11th July 2016 certifying the acquired land of the appellant to be irrigated one. Since the document relied upon is subsequent to the date of filing of the appeal and same being a public document, in my opinion, there is no impediment in permitting the appellant to produce the said document under Order XLI, Rule 27 of the Code of Civil Procedure.

2. As such, the application though strenuously resisted by Mr Mehadia, stands allowed.

(N.W. SAMBRE, J.)