

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO.3293 of 2018

Amina Begum w/o Ahmed Ali (Died) Through Petitioner
her L.R. Mr. Jabbar Ali Mir Ahmed Ali

Versus

The Marathwada Sankrutik Mandal Aurangabad Respondents
and Public Trust & Ors.

...

Ms. A.N. Ansari, Advocate for the petitioner

Mr. S.S. Bora, Advocate for the respondent Nos.2-I to 2-V

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Coram : N.M. Jamdar, J.
Date : 19 November 2018

Per Court :

Heard learned counsel for the petitioner. Notice has been issued to the respondents. Petitioner has challenged the order passed by the learned Civil Judge Senior Division dated 31 January 2018 refusing the request of the petitioner to exhibit a Gift Deed.

2 The learned counsel for the respondents has drawn my attention to the order passed by the learned Single Judge of this Court dated 20 January 1987 in Civil Revision Application No.264 of 1983,

wherein there is a reference to the order passed by the Trial Judge holding the document in question to be inadmissible. It is the contention of the petitioner that after the order is passed on 20 January 1987 evidence has been recorded and further steps have been taken by the petitioner which will make the document in question admissible. As regards the contention of the petitioner that the document is now contended to be admissible can be looked into by the learned Civil Judge at the time of hearing of this suit. Learned Single Judge in the year 1987 itself has observed that the suit being of the year 1972, all the contentions be considered at the time of hearing and hearing of the suit be expedited. The writ petition is disposed of as above.

N.M. Jamdar, J.

agd