

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

**CIVIL APPLICATION (ST.) NO.4194 OF 2018
IN
SECOND APPEAL NO. 208 OF 2015**

Bhikaji Dhondu Bapardekar & Anr.

....Applicants

V/s.

Bhanji Laxman Aalav & Ors.

....Respondents

Mr. Sachin Gite for the applicants.

Mr. Aniket P. Ranade for the respondents.

**CORAM: SMT. ANUJA PRABHUDESSAI, J.
DATED: 27TH NOVEMBER, 2018.**

P.C.:

. By this application, the applicant has sought leave to produce additional documents. A perusal of the application clearly indicates that the applicant has sought production of additional documents on the ground that he has come across the said documents after the death of his mother. Similar application filed before the First Appellate Court was dismissed by order dated 07/07/2014. The First Appellate Court has observed that the mother of the appellant had expired in the year 2000 whereas the application was filed in the year 2011. There was inordinate delay of 11 years in filing the application.

2. It is also seen that by this application, the applicants have sought

to produce *khand receipts*. These documents are not necessary to decide the controversy as it is not the case of the appellant/applicant that he was in possession of the suit property as a tenant. On the contrary, he has taken a specific plea that he is the owner of the property.

3. The additional documents which are sought to be produced are not relevant to decide the appeal. Hence, no case is made out for production of additional documents. The Civil Application is accordingly dismissed.

(SMT. ANUJA PRABHUDESSAI, J.)