

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

***WRIT PETITION NO.6673 OF 2018  
ALONG WITH  
WRIT PETITION NO.6675 OF 2018***

Smt.Sarawati Manohar Komkar & Anr. .. Petitioners  
Vs.  
Vasant Pandharinath Komkar & Ors. .. Respondents

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Mr.Nikhil Wadikar i/by Mr.Nandu Pawar for the petitioners in both the petitions.  
None for the respondents.

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***CORAM : R.D. DHANUKA, J.  
DATE : 14<sup>th</sup> September 2018***

***P.C.:***

. By both these writ petitions, the petitioners (original defendant nos.11 and 12) have impugned the orders dated 29<sup>th</sup> March 2018 and 12<sup>th</sup> March 2018 passed by the learned Joint Civil Judge, Senior Division, Pune.

2. The petitioners have raised an objection in respect of some of the documents referred to and relied upon by the original plaintiff in respect of two of the documents. Issue of admissibility of two of the documents was raised by the petitioners by filing an application before the learned trial Judge. The learned trial Judge has rejected the said application. By an order dated 12<sup>th</sup> March 2018, the learned trial Judge has rejected the application below Exhibit-101 seeking recall of the order dated 4<sup>th</sup> August 2017 passed by the learned trial Judge on the ground that cross-examination of the witnesses examined by the plaintiff is still not concluded.

3. In my view, if the petitioners are aggrieved by the judgment and decree and both these orders which are impugned in this petition, they can raise a ground of challenge while challenging the final judgment and order in the appeal, if any, the petitioners are required to file. I am not inclined to interfere with the impugned orders at this stage. Both these writ petitions are dismissed with aforesaid clarification. No order as to costs.

***R.D. DHANUKA, J.***