

4. It is not in dispute that the plaintiff has produced original architect report dated 30th September, 2014. As the plaintiff has produced original report, the learned trial Judge should have marked it as Exhibit subject to proof of contents thereof. In so far as Item No.7 is concerned, Mr. Shamim states that he will comply requirement of Section 65-B of the Indian Evidence Act, 1872. In so far as Items No.8,10 and 16 are concerned, as they are original documents, the learned trial Judge should have marked them as exhibits subject to proof of contents thereof. As far as Item No. 48 is concerned, since it is photo copy, the learned trial Judge rightly marked it as Article.

5. In view thereof, document at Sr. No.4 is marked as **Exhibit 93** . Document at Sr. No.8 is marked as **Exhibit 94**. Document at Sr. No.10 is marked as **Exhibit 95**. Document at Sr. No.16 is marked as **Exhibit 96**. All these documents are marked as exhibits subject to proof of contents thereof.

6. Rule is made absolute accordingly with no order as to costs.

[R.G. KETKAR, J.]