

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

WRIT PETITION (ST.) NO. 32465 OF 2017

Smt.Lilatai @ Lilavati Pandurang Chougule	...	Petitioner
V/s.		
Smt.Mangal Pandurang Chougule	...	Respondent

- Mr.Manoj A. Patil for the Petitioner.

CORAM : DR.SHALINI PHANSALKAR-JOSHI, J.

DATE : 28th MARCH, 2018.

P.C. :

- 1] Heard learned counsel for the Petitioner.

- 2] By this Writ Petition, filed under Article 227 of the Constitution of India, the Petitioner is challenging the order dated 4th October 2017 passed by the 5th Joint Civil Judge, Senior Division, Kolhapur, below the application at Exhibit-73 in Civil Miscellaneous Application No. 78 of 2014.

- 3] The application at Exhibit-73 was filed by the present Petitioner, who is the Respondent/Opponent before the trial Court for production of certain documents.

4] The trial Court has rightly considered the fact that previously also the Petitioner has filed the applications at Exhibit-63 and also at Exhibit-65, first for production and then for exhibit of those documents, and accordingly, some documents were exhibited, whereas some were not exhibited, as those were photocopies. Now, the Petitioner is again seeking the production of documents; especially after the evidence of both the sides is already closed. These documents were very much there when earlier applications for production of documents was filed. In view thereof, the trial Court was fully justified in rejecting this third application.

5] In my considered opinion, absolutely no interference is warranted in the said order, especially when not even a slight explanation is offered by the Petitioner as to why he has not produced these documents, when earlier applications were filed.

6] Writ Petition therefore being without merits, stand dismissed.

[DR.SHALINI PHANSALKAR-JOSHI, J.]