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IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
ORDINARY ORIGINAL CIVIL JURISDICTION  
APPEAL (L) NO.473 OF 2018

Omprakash Changolwala & Anr.                      ...Appellants  
vs.  
Vishal Usha Kejriwal                                      ...Respondent

Mr.S.M.Gorwadkar, Senior Counsel a/w Ms Swati H.  
Sagvekar for the appellants

CORAM : A.S.OKA, &  
             M.S.SONAK,JJ.  
DATE : OCTOBER 29, 2018

P.C.:

.      Not on board. Taken on board.

1      Heard the learned senior counsel for the appellant. The challenge is to the order dated 5<sup>th</sup> October 2018 passed by the learned Single Judge. The grievance is that certain documents which are photo copies have been ordered to be exhibited. Reliance is placed on the decisions of the Apex Court in the case of J. Yashoda vs. K.Shobha Rani<sup>1</sup> and Ashok Dulichand vs. Madhavlal Dube and another<sup>2</sup>.

2      The impugned order by which the certain documents are exhibited cannot be said to be a Judgment within the meaning of clause 15 of the Letters Patent. The rights and liabilities of the parties have not been decided by the impugned order.

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1      (2007) 5 SCC 730

2      (1975) 4 SCC664

Only on that ground, we decline to entertain this appeal as it is not maintainable. Accordingly, appeal is disposed of as not maintainable.

3 We, however, make it clear that if the final decree be against the appellants, they can always challenge the impugned order while preferring the appeal against the final decree.

4 Pending Notices of Motion does not survive and the same are disposed of.

(M.S.SONAK,J.)

(A.S.OKA,J.)