

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

WRIT PETITION NO.12540 OF 2019

HIRALAL LAXMAN KILLEDAR,
SINCE DECEASED THROUGH HIS L.RS.
JAMNABAI HIRALAL KILLEDAR AND OTHERS
-VERSUS-
THE STATE OF MAHARASHTRA AND OTHERS

...
Shri S.Y.Patil a/w Shri Sachin S. Bhise, Advocates for the petitioners.
Shri S.W.Munde, AGP for respondent no.1/ State.
...

CORAM: RAVINDRA V. GHUGE, J.

DATE :- 10th December, 2019

Per Court:

1 The petitioners, original plaintiffs in RCS No.431/2012, are aggrieved by the order dated 16.11.2017 passed by the Trial Court by which, their application exhibit 148 filed for seeking issuance of a witness summons to the Taluka Inspector of Land Records (TILR) and for production of original files and records in S.R. No.22/94 regarding CTS No.11501, has actually been partly allowed.

2 I have considered the strenuous submissions of the learned advocate for the petitioners and the learned AGP on behalf of respondent no.1.

3 The issue before the Trial Court was with regard to the

request of the plaintiffs to seek a witness summons to examine the TILR and production of original documents. At that stage, the Trial Court formed a view that permitting the plaintiffs to produce the certified copies of the relevant documents available in the record of the TILR, would suffice the purpose. An equitable order has been passed.

4 The learned advocate for the petitioners/ plaintiffs submits that the record is bogus. It is not as per the earlier revenue record.

5 Needless to state, after the certified copies are produced, every litigant will be at liberty to deal with the said documents.

6 In view of the above, this Writ Petition, being devoid of merit is, therefore, dismissed.

kps

(RAVINDRA V. GHUGE, J.)