

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

**CIVIL APPLICATION NO. 15063 OF 2017
IN
FIRST APPEAL NO. 3565 OF 2017**

Mrudalaben w/o Manoharlal Babaria
and others.

Applicants.

Versus

M/s Chhallani Ginning and Pressing
Factory, Aurangabad and others.

Respondent.

Mr. B.R. Warma, Advocates for the applicants.
Mr. P.F. Patni, Advocate for respondent No.1.

**CORAM : T.V. NALAWADE AND
SUNIL K.KOTWAL, JJ.**

Dated : 3rd January 2019.

Order (Per Sunil K. Kotwal).

1. This Application is filed under Order XXXXI Rule 27 of the Code of Civil Procedure for production of additional evidence in the form of certified copies of plaint, written statement, depositions and other documents filed in Special Civil Suit No.201/2013, filed by plaintiff Firm against the brother of defendant No.1 and Yog Industries Limited.

2. However, after going through those documents and pleadings of the parties, it emerges that the transaction in between plaintiff Firm and Narendra Jadhav regarding agreement of sale of plot No.11 is altogether distinct transaction and it has nothing to do with the dispute in the case at hand. Therefore, the pleadings of Special Civil Suit No.201/2013, depositions recorded in that suit and other documents filed in that suit, are not relevant for deciding this appeal on merits.

3. As no ground is made out under Order XXXXI Rule 27 of the Code of Civil Procedure, this Civil Application being devoid of merits, is rejected.

(SUNIL K. KOTWAL)
JUDGE

(T.V. NALAWADE)
JUDGE

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