

Urmila Ingale

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 65 OF 2019

Shivsharanappa S/o. Balappa Bidve .. Petitioner
Vs.
Mahavir S/o. Dnyaneshwar Durugkar and ors. .. Respondents

Mr.Prasad Pradeep Kulkarni, for the Petitioner.

CORAM : M.S.KARNIK, J.

DATE : 15th JANUARY 2019

P.C. :

The challenge in this Petition is to an order dated 25/09/2018 passed by the 4th Joint Civil Judge, Senior Division, Solapur passed below Exhibit 19. It is the contention of petitioner that learned trial Judge permitted exhibiting general power of attorney which was on stamp paper of Rs.100/- which is neither registered nor notarized document which cannot be read in evidence. He submits that the trial Court while dealing with the petitioner's objection, virtually decided upon validity of the document.

2. I have gone through the impugned order. The main objection of the petitioner in opposing the document to be exhibited was that it is neither notarized nor registered. Suffice it to mention that there is no reason to interfere with the act of exhibiting the document in question as it is well settled that mere exhibition of the document does not dispense with its proof. Keeping all other contentions open to be decided at an appropriate stage, I find no reason to interfere with the act of mere exhibition of general power of attorney in question.

3. Subject to above observations, Petition is rejected.

(M.S.KARNIK, J.)