

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 1462 OF 2019

Raghunath s/o. Sitaram Patil and anr. .. Petitioners
vs.
Ramesh s/o. Bhau Patil and anr. .. Respondents

Mr. Virendra Deshmukh for the Petitioners.
Mr. Pratap Patil for Respondent No.1

CORAM : M. S. SONAK, J.
DATE : 11 APRIL 2019.

P.C. :-

1] After this matter was argued for some time, learned counsel for respondent No.1, on the basis of instructions, states that the documents in-question may be exhibited, however, by keeping open all the objections of the respondents. According to me, in the peculiar facts of the present case, this will be appropriate course of action to follow.

2] Since all the objections of the respondents are being kept open, further it will not be appropriate for this Court to delve into the merits of rival contentions raised.

3] Accordingly, the impugned order is set aside, the documents in-question are permitted to be produced on record and ordered to be exhibited. However, this shall be without prejudice to the rights of the respondents to raise all legal permissible objections. Such objections will have to be considered by the learned Trial Judge at the stage of final disposal of the suit.

4] The petition is disposed of in the aforesaid terms. There shall be no order as to costs.

5] All concerned to act upon an authenticated copy of this order.

(M. S. SONAK, J.)