

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

WRIT PETITION NO.2478 OF 2019

Vinayak s/o Krushnarao Deshpande and anr.

-vs-

Mohan Shamrao Kulkarni and ors.

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders.

Shri A. R. Deshpande, Advocate for petitioners.

CORAM : A.S.CHANDURKAR, J.

DATE : March 27, 2019

The petitioners have challenged an interlocutory order passed below Exhibit-65 by which their application seeking directions against the respondent herein to produce certain documents has been rejected. It is submitted on behalf of the petitioners that in the application filed below Exhibit-65 all necessary details were given but the said application has been rejected on the ground that such details have not been so given. Despite the fact that the petitioners had given a notice to produce those documents and there was earlier order passed in that regard, the prayer as made in the said application came to be rejected.

After hearing the learned counsel for the petitioners it is seen that the order impugned is of an interlocutory nature. Remedies are available to the petitioners and they can take such steps as are permissible in law including raising a contention that adverse inference deserves to be drawn against the

respondent for failure to produce those documents. It is therefore not found necessary to interfere at this stage. By keeping the contentions of the petitioners open in that regard, the writ petition is dismissed with no order as to costs.

JUDGE