

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

CIVIL APPLICATION NO.672/2016
IN SECOND APPEAL NO.507/2013

Gangadhar Shamrao Khedkar and Ors .vs. Bhagwan Narayan Kalamkar

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's Orders.

Court's or Judge's orders.

Mr. S. M. Chikhale, Advocate for applicants.
Mr. J. J. Chandurkar, Advocate for non applicant.

CORAM : V. M. DESHPANDE, J.
DATED : JULY 9, 2019

This is an application for permission to produce documents on record.

Heard Mr. Chikhale, learned counsel for the applicants and Mr. Chandurkar, learned counsel for the non applicant.

On 20.09.2016, this Court has admitted the present appeal on the substantial question of law as to "Whether by virtue of acquisition of the suit property by the Central Government under the provisions of the Coal Bearing Areas (Acquisition and Development) Act, 1957, the decree passed for specific performance of contract becomes unexecutable?"

Prior to this order, on 04.07.2016, the applicant was granted time to file the documents to show that the properties are acquired by the Central Government under the provisions of the Coal Bearing Areas (acquisition and Development) Act, 1957. The present application was filed

on 12.07.2016. Under this application, four documents are filed. Those are all notifications to show that the property is acquired.

In view of above, the application is allowed. The applicants are permitted to produce document nos.1 to 4 filed along with this application on record. However, it is made clear that relevance of those documents will be considered at the time of final hearing of the appeal.

The application is disposed of.

JUDGE

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