

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

C.A.F. NO.3664/2019

IN

FIRST APPEAL NO.319/2018

Smt. Bharti Wd/o Vilas Bramhanwade and others

..Vs..

Nandkishor S/o Mishrilal Kabra and others

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

Court's or Judge's orders

Shri Madhur Deo, Advocate h/f Shri Rohit Joshi, Advocate for the appellants.

Shri P.M. Pande, Advocate for respondent Nos.1 and 3.

Mrs. Mrunal Naik, Advocate for respondent No.2.

Shri A.A. Dhawas, Advocate for respondent No.4.

CORAM : NITIN W. SAMBRE, J.

DATED : 3.10.2019

1] Heard.

2] This application is under the provisions of Order 41 Rule 27 read with Section 151 of the Code of Civil Procedure.

3] The respondent No.4 to the appeal has moved this application so as to bring it to the notice of this Court that other son, than the son who died in accident in question, is 100% blind. He has relied on the disability certificate issued on March 14, 2019 which is admittedly after the judgment delivered by M.A.C.T. i.e. December 5, 2017.

4] As such, the document which is sought to be relied on and of which production is sought before this Court is subsequent to the judgment of M.A.C.T.

5] Considering the nature of the object with which the provision of providing compensation is incorporated in the statute book and fact that document which is sought to be produced under Order 41 Rule 27 is subsequent to the judgment of M.A.C.T., in my opinion, the application needs to be allowed. The applicant is permitted to produce the document along with application as are annexed. Civil application is **allowed** accordingly. No costs.

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6] Post this matter for consideration on 4th November, 2019.

JUDGE