

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

WRIT PETITION NO.8108/2019

Gajab Trymbak Khandare Vs. Babusingh Thavra Rathod

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

Court's or Judge's Orders.

Shri K.S.Narwade, Advocate for petitioner.

CORAM : A.S.CHANDURKAR, J.

DATED : DECEMBER 11, 2019.

The challenge raised in this writ petition is to the interlocutory order rejecting the application moved by the petitioner for de-exhibiting sale deed dated 18.01.1971 which is marked as Exhibit 104. The trial Court while rejecting that application has observed in para 5 that the aspect of admissibility of that document would be considered by the Court at the time of final arguments.

In view of these observations of the trial Court in para 5 of the order passed below Exhibit 108, it is clear that the petitioner has an opportunity to question the admissibility of that document. The grounds raised in the writ petition can therefore be urged before the trial Court when the suit is finally argued.

With these observations, the writ petition is dismissed. No costs.

JUDGE

Andurkar.