

IN THE HIGH COURT OF BOMBAY AT GOA.**WRIT PETITION NO. 1060 OF 2019.**

GEETA RAJEEV KUMAR AND ANR., ... Petitioners
Versus
SATISH KUMAR S. S. PILGAONKAR @
SATISH KUMAR S. S. PILGAONKAR AND ... Respondents.

Shri Jawahar L. Dias, Advocate for the petitioners.

Shri Ashwin D. Bhobe, Advocate for the respondent nos.1 & 2.

Coram:- DAMA SESHADRI NAIDU, J.

Date:- 13th February 2020

P.C.

The petitioners are the defendants in Regular Civil Suit no.82/2013/A, before the Civil Judge, Senior Division, Quepem. The respondents filed it for declaration and cancellation of a sale deed. The defendants led evidence. After examining herself as DW1, the petitioners wanted the Court to take on record certain documents produced afresh. They wanted those documents marked through the DW1, one of the petitioners, in re-examination.

2. The trial Court, through its order below Exh.62, on 28.11.2019, rejected that application. It has in paragraph 7 of the order set out the scope of a witness's re-examination. Besides that, the trial Court in paragraphs 9 and 10 has elaborately discussed the stage at which the documents must be produced and how the parties producing the documents at later stages should justify the belated production. The trial Court has also noticed that the petitioners have failed to supply any justification in their application for the relief they sought.

3. I, therefore, hold that the impugned order suffers from no legal infirmity. As a result, I dismiss the Writ Petition. In the light of the trial Court's observations in the impugned order, it is up to the petitioners to explore legally permissible method if they desire to bring on record any documents and get them marked through a witness. Gratuitous as this observation is, it shall not be taken as the this Court's permission to the petitioners' likely measures in this regard, in future.

DAMA SESHADRI NAIDU, J.

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