

nsc.

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO.972 OF 2020

Ajit Narsinh Taklikar

... Petitioner

Versus

Ujwala Rajendra Gore

...Respondent

Dr. R. P. Sabban, for the Petitioner.

Mr. Vishwanath Patil a/w Advocate Kewal B. Ahya, for the Respondent.

CORAM : REVATI MOHITE DERE, J.

DATE : 4th FEBRUARY, 2020

P.C. :

1. Heard learned counsel for the Petitioner.
2. By this Petition, the Petitioner has impugned the order dated 19th June, 2019, passed by the learned 6th Joint Civil Judge, Senior Division, Solapur, below Exhibit – 61 in R.C.S. No.1082 of 2015, by which, the learned Judge allowed the application filed by the Respondent – Plaintiff and directed the petitioner to produce copies of certain documents mentioned in clauses – 2 and 3 of the operative part of the said order.
3. Learned Counsel for the Petitioner submits that despite the fact that the petitioner had informed the trial Court that he was not in possession

of any documents i.e. sale deeds etc, the trial Court passed the impugned order. A perusal of page 21 i.e. reply filed by the petitioner to the respondent's application (Exhibit – 61) does not show that the petitioner had even remotely mentioned that he does not have any of the copies. In the said reply, the petitioner has stated that the documents sought can be procured by obtaining certified copies as the said documents were public documents. There is not even a whisper in the said reply that the petitioner does not have the copies of the said documents.

4. In this view of the matter, there is no infirmity in the impugned order dated 19th June, 2019, passed by the learned 6th Joint Civil Judge, Senior Division, Solapur, below Exhibit – 61 in R.C.S. No.1082 of 2015.

5. The Petition is accordingly dismissed with costs of Rs.5,000/- to be paid to the Respondent within two weeks from today.

6. Petition is accordingly disposed of.

REVATI MOHITE DERE, J.