

**IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD**

907 WRIT PETITION NO.8978 OF 2022

**BANEKHA PATHAN SHERKHA PATHAN
VERSUS
THE STATE OF MAHARASHTRA THROUGH DISTRICT COLLECTOR
AND OTHERS**

...
Advocate for Petitioner : Mrs. Fatema Kazi h/f Mr. S.S.Kazi
AGP for Respondents-State : Mr.K.B.Jadhavar
...

CORAM : SANDEEP V. MARNE, J.

DATE : 18.10.2022.

PER COURT :

1. By this petition, petitioner challenges order dated 11.07.2021 passed by the Joint Civil Judge, Senior Division, Paranda on application below Exh. 129. By that order application of the petitioner for production of document has been rejected.

2. At the time when application was filed on 11.07.2022 the suit was fixed for final hearing. Such application dated 11.07.2022 appears to have been moved in a casual manner stating that "some important documents" are required to be produced in the suit. There is no explanation in the application as to why that document is necessary for the purpose of determining the real question of controversy between the parties. There is no explanation as to why that application was not produced previously.

3. The trial Court has dealt with the nature of the document that was sought to be produced. It is not in respect of the suit property, nor the parties to the suit have executed the same. The trial Court has rejected the application.

4. I do not find any error being committed by the trial Court in rejecting the application filed by the petitioner.

5. There is no merit in the present petition and the same is dismissed without any orders as to the costs.

(SANDEEP V. MARNE)
JUDGE

mahajansb/