

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

WRIT PETITION NO. 12154 OF 2022

M/s Divate B. R. Engineers and
Contractors Through Its Proprietor
Babasaheb Ramchandra Divte .. Petitioner

Versus

Ramdas Popat Japkar and another .. Respondents

Ms. Mhase Madhaveswari S., Advocate for the Petitioner.

**CORAM : SANDEEP V. MARNE, J.
DATE : 19TH DECEMBER, 2022.**

FINAL ORDER :

. By this petition, petitioner challenges order dated 29.08.2022 passed by the Labour Court, Ahmednagar rejecting petitioner's application for de-exhibiting the exhibited document. Such de-exhibiting was sought on the ground that the medical bills produced by the respondent are photocopies. The Labour Court has arrived at conclusion that same are not photocopies, but are merely computer printouts. Next submission of petitioner is that entire medical treatment has been borne by it and, therefore, original bills are in possession of the petitioner. Therefore, authenticity of the additional bills produced by the respondent before the Labour Court is questioned. It is submitted that since the original bills are in possession of the petitioner, what is produced on record by the respondent are merely photocopies. It is also submitted that some of those

documents are not invoices, but are mere intimations.

2. After hearing learned counsel for the petitioner, I find that the proceedings are filed before the Labour Court under the provisions of the Workmen's Compensation Act. They are not governed by the strict rule of evidence. If the petitioner is indeed in possession of the original bills it can always produce the same in evidence. Furthermore, mere marking of a document would not mean that contents thereof are proved. If the nature of a particular bill is not an invoice, but merely an intimation, the same can always be argued by the petitioner before the Labour Court. Therefore, interference of this Court in the order passed by the Labour Court is not warranted. Leaving open liberty to the petitioner to raise all objections to the contents of the bills, the writ petition is dismissed. No costs.

[SANDEEP V. MARNE, J.]

bsb/Dec. 22