

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

WRIT PETITION NO.2138 OF 2022

Smt. Gunabai Shivram Kamble
Since deceased through legal heirs
Anil Shivram Kamble and Ors.

..Petitioners

Versus

Suman Vithalrao Jaikar and Ors.

..Respondents

Mr. Ravi P. Kadam, for the Petitioners.

CORAM : NITIN W. SAMBRE, J.

DATE : 8th APRIL, 2022

PC.

1. Application Exhs.302 and 303 moved by the petitioners/defendants in Special Civil Suit No.267 of 1999 for production of documents and permission to issue witness summons is rejected.

2. The Trial Court has held that the documents of which production is sought are not relevant for deciding the dispute. In that eventuality and having regard to the present stage of the proceedings, I hardly see any reason which warrants interference in the order impugned.

3. In that view of the matter, petition stands dismissed.

4. However, it is clarified that the petitioners, in case, if

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suffers a decree of suit, will be at liberty to raise an issue on the ground of non-acceptability of the documents in an appeal which they may file.

[NITIN W. SAMBRE, J.]