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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 10465 OF 2018

Dr. Rakeshhandra Kanojia and anr.

...Petitioners

V/s.

Jayrambhai D. Chauhan (BYTCO)

Charitable Trust and ors.

...Respondents.

Mr. Prasad Avhad i/b Mr. L.R. Odhekar for the Petitioners.

CORAM : N.R. BORKAR, J.
DATE : 17.02.2022.

P.C. :

1. This petition takes an exception to the order dated 06.02.2018 passed by the learned Civil Judge, Sr. Division, Nashik below Exhibit-120 in Special Civil Suit No. 324 of 2008.

2. The petitioners, who are the defendants, in the aforesaid suit, filed an application at Exhibit-120 *inter alia* praying that the document dated 23.12.2004 marked as Exhibit-99 is not admissible in the evidence on the ground that neither it is properly stamped nor it is registered and therefore, it be de-exhibited.

3. When the suit is still pending, it would not be desirable to record any finding in relation to admissibility or inadmissibility of the document in question. I am, therefore, not inclined to entertain the present petition. The petitioners are, however, at liberty to raise the grounds in relation to inadmissibility of the document in-question at the final hearing of the Suit.

4. Writ Petition is disposed of accordingly.

[N.R.BORKAR, J.]