

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

WRIT PETITION NO.8650 OF 2021

Shri. Anand Krishnarao Alshi

..Petitioner

Versus

Shri. Mahesh Tukaram Ramgude and Anr.

..Respondents

Mr. Nachiket V. Kulkarni, for the Petitioner.

CORAM : NITIN W. SAMBRE, J.

DATE : 17th JANUARY, 2022

PC.

1. Application Exh.62 is moved by the petitioner/plaintiff for issuing witness summons to the District Deputy Registrar, Co-operative Societies on report dated 7th May, 2018 and also the amendment of the plaint vide Exh.64. Both the prayers are rejected vide impugned order.

2. The submissions of learned counsel for the petitioner are the amendment of the plaint is necessary for the purpose of effective adjudication of the suit claim. He would further claim that if the witness summons is issued, the same will save judicial time in deciding the suit as lengthy hearing in the same would be curtailed.

3. I have considered said submissions.

4. The document viz. report of the District Deputy Registrar Co-operative Societies dated 7th May, 2018 is informed to have been permitted to be produced on record of the Court below. As the said document can be read in evidence as a public document, in my opinion, the Court below was justified in rejecting prayer on both the counts. No interference is called for at this stage of the proceedings.

5. The petition as such stands dismissed.

[NITIN W. SAMBRE, J.]