

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

WRIT PETITION NO. 4413 OF 2022

Ravindra Nanasaheb Bonde Vs. Pushpa Vijay Bonde and anr

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Mr. P.R.Agrawal, Advocate for Petitioner
Mr. H.Bonde, Advocate for the respondents.

CORAM : AVINASH G. GHAROTE, J.
DATE : 05/08/2022

1] Heard Mr. Agrawal, learned counsel for the petitioner and Mr. H.Bonde, learned counsel for the respondents.

2] The petition challenges the order below Exh.68 dated 13.4.2022 (page 63), an application for exhibiting documents below list Exh. 66 & 67, by which four copies of 7/12 extract only out of the entire list was permitted to be exhibited, on the ground that they are public documents.

3] Mr. Agrawal, learned counsel for the petitioner submits that in so far as the order dated 11.8.2021 (page 54) passed by the learned Sub Divisional Officer, converting the user of the land, which is also a public document, the same needs to be exhibited. He does not press the challenge in so far as the other documents in the list below Exh. 66 & 67 are concerned, considering which since the order passed by the SDO dated 11.8.2021 would fall within the scope and

ambit of a public document as defined in Section 74 of the Evidence Act, the impugned order dated 6.5.2022 below Exh.73 is hereby modified by permitting the exhibiting the order dated 11.8.2021.

4] The petition also challenges the order dated 6.5.2022 below Exh.73 for exhibiting the documents. Since the order dated 11.8.2021 is already directed to be exhibited, I do not see any infirmity in the impugned order.

5] The petition in so far as it relates to the challenge to Exh. 73 is rejected.

6] Mr. Agrawal, learned counsel for the petitioner on instructions does not press challenge to the order below Exh.77 dated 17.06.2022.

7] The statement is accepted. Therefore, the petition in so far as it raises the challenge to the order below Exh. 77 is rejected.

8] The matter is stated to be at the stage of arguments, and it is made clear that the stage shall not reverted back. The trial Court is directed to hear the matter as early as possible.

9] The petition is disposed of in above terms.
No costs.