

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

WRIT PETITION NO. 523 OF 2023

Nanabhau Baburao Bharate .. Petitioner

Versus

Sudam Baburao Bharate and another .. Respondents

Shri Suhas R. Shirsath, Advocate for the Petitioner.

CORAM : SHARMILA U. DESHMUKH, J.

DATE : 20TH JANUARY, 2023.

FINAL ORDER :

. Heard.

2. The challenge in the petition is to the order dated 08th September, 2022, whereby the petitioner's application, who is original plaintiff in the suit, for leading further evidence for the purpose of production of certain documents came to be rejected.

3. The impugned order shows that the application has been rejected as the application does not set out sufficient explanation in support of the application for leading further evidence for producing documents.

4. In the interest of justice, in my opinion, the petitioner is to be given an opportunity to present a detailed application setting out the reasons as to why the additional evidence for producing

additional documents is required to be filed.

5. The impugned order dated 08th September, 2022 is hereby quashed and set aside with liberty to the petitioner to file a detailed application with sufficient reasons. If such an application is filed, the Trial Court to consider the same on its own merits and in accordance with law. Writ petition is accordingly disposed of. No costs.

[SHARMILA U. DESHMUKH, J.]

bsb/Jan. 23