



Harish

IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CIVIL APPELLATE JURISDICTION

**WRIT PETITION NO.9056 of 2022**

Seva Sadan Society

...Petitioner

**Versus**

Gool J Satta

(Since Decd) Thru. Lhr.

Rukhshana Murzban Patel & Anr.

...Respondents

**WITH**

**WRIT PETITION NO.15677 OF 2023**

Seva Sadan Society

...Petitioner

**Versus**

Gool J Satta

(Since Decd) Thru. Lhr.

Mehernoz D. Kelawala & Ors.

...Respondents

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Adv. Janani Swaminathan i/b Goapl Parab for the Petitioner.

Ms. Vidita Bhalekar i/b Ms. Ranjana Parikh for the Respondents  
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**CORAM : SHARMILA U DESHMUKH, J.**

**DATE : DECEMBER 18, 2023**

**P. C. :**

1. The Petition has been filed challenging the order dated 7<sup>th</sup> April, 2022 passed by the Small Causes Court rejecting the Petitioner's Application for exhibiting the report of the architect and plan which were

marked as Article.

2. Learned counsel for the parties have arrived at a consensus that the report of the architect and plan be marked as Exhibit only for the purpose of identification and the contents will have to be proved and all objections in that respect be kept open.

3. In view of the consensus arrived at between the parties, the impugned order dated 7<sup>th</sup> April, 2022 is quashed and set aside. The report of the architect and plan be marked as Exhibit only for the purpose of identification.

4. It is clarified that the marking of the document as Exhibit does not dispense with the proof of contents of the document and the same will be subject to the cross-examination as well as other objections raised. All contentions in this regard are expressly kept open.

5. Petition stands disposed of in the above terms.

(SHARMILA U. DESHMUKH, J. )