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

WRIT PETITION NO.2546 OF 2020

Soumitra Agarwal & Ors

... Petitioners

V/s.

Ema Partners pvt. Ltd. & Ors

... Respondents

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Mr. Nitesh V. Bhutekar, for Petitioner.

Mr. Anoshak Daver a/w Ms. Meenakshi Iyer i/by
Advaya Legal, for Respondent Nos.1, 2 & 5.

CORAM : AMIT BORKAR, J.

DATED : DECEMBER 1, 2023

P.C.:

1. By the impugned order, the Trial Court has rejected the application for production of documents on an application filed by the petitioner/original plaintiff.
2. The parameters for passing order of production of documents are well settled. If, the plaintiff broadly satisfies before the Trial Court that the documents are relevant for consideration of prayer in suit, the Court will be within its power to allow such application for production of documents. However, on perusal of the application which is the subject matter of the petition, it appears that details of documents are not specified. From the prayers made in the application, it is not possible to identify

individual or class of documents which are necessary for consideration of prayer in the suit. Therefore, it would be in the interest of justice that the plaintiff shall file fresh application for production of document so that relevancy of such documents can be decided by the Trial Court in the context of prayers in the suit.

3. For the aforesaid reasons, the impugned order dated 25 July 2019 passed on Notice of Motion No.3779 of 2017 in S. C. Suit No.3121 of 2017 is quashed and set aside.

4. The petitioner is permitted to file fresh application for production of documents. The Trial Court shall decide such application in accordance with law uninfluenced by the reasons in the impugned order.

(AMIT BORKAR, J.)