

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

WRIT PETITION NO. 1832 OF 2023

Ishaan Rameshrao Deshmukh__ Vs. __Urmilabai Jagannath Chouksey and ors

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

Court's or Judge's orders

Mr. V.G.Wankhede, Advocate for petitioner

CORAM : AVINASH G. GHAROTE, J.

DATE : 23/03/2023

1] Heard Mr. Wankhede, learned counsel for the petitioner.

2] The application for production of document, which was earlier allowed by the order dated 15.9.2022 (pg. 11) has been recalled and the application is rejected by the impugned order dated 8.12.2022 (pg.14), which is questioned, in the present petition.

3] Mr. Wankhede, learned counsel for the petitioner contends that the application for production could not have been rejected, as it merely sought to produce a judgment in Case No. 3/2000 on record.

4] It is material to note that an earlier application for production of the said document and exhibiting the same at Exh.137 came to be rejected by the order dated 13.2.2020 (pg.22). A review thereof against the same by an application at Exh.139 also came to be dismissed by the order dated 14.10.2021 (pg.27). These orders were not challenged in this Court by filing any petition. Now, in the teeth of the aforesaid two orders, the same document is being sought to be placed on record again, which has been rejected by the impugned order. Since the earlier application at Exh.137 for filing the document has already been rejected, as indicated above, and the order has attained finality, the impugned order which rejects the production of the document in view of the order below Exh. 137 and 139 cannot be faulted with. There is therefore no merit in the petition, the same is dismissed. No costs.

JUDGE

Rvjalit