



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

WRIT PETITION NO.6109 OF 2023

Haribhau Laxman Shelar and others .Vs. Jijabai Wd/o Sadashiv Shinde

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Shri A.D. Bhate, Advocate for petitioners.

CORAM : ANIL S. KILOR, J.

DATED : 12/09/2023

1. Heard.
2. An application moved for calling the record of RCS No.48 of 1995, came to be rejected vide impugned order dated 16.09.2022, which is the subject matter of the present writ petition.
3. The learned counsel for the petitioners submits that, there is an original copy of Will dated 03.01.1970 filed in RCS No.48 of 1995 and to prove the same in Special Civil Suit No. 34 of 2015, in the evidence, the application was moved for calling the record of that suit.
4. However, after going through the application there is no whisper about any such purpose for calling the record or the copy of the original Will.

5. In the circumstances, there was no occasion for the learned trial Court to consider the application from said angle as argued before this Court and therefore, I do not find any error committed by the learned trial Court to reject the application.

Accordingly, the writ petition is **dismissed**.

JUDGE