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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 15768 OF 2023**

Bennett Coleman and Co. Ltd ... Petitioner

vs.

The Board of Mumbai Port Authority ... Respondent

Mr. Dharam Jumani i/b. Chandrika Prajapati a/w. Sanskruti Rathod
for petitioner.

Ms. Roopadaksha Basu i/b. Ms. The Law Point for respondent -
MBPT.

CORAM : GAURI GODSE, J.

DATED : 17th JANUARY, 2024

P.C. :-

1. Heard.
2. This petition challenges the order dated 24th November 2023. By the said order the Estate Officer directed that all the documents submitted with Affidavit of Evidence be exhibited subject to cross-examination. Learned counsel for the petitioner states that the petitioner had raised various objections for marking the documents and the same are not considered before exhibiting the documents by the order impugned in the petition. He therefore submits that the Estate Officer ought to have decided all the objections raised on the documents.
3. Learned counsel appearing for the respondent supports the impugned order on the ground that the proceedings before the

Estate Officer are summary proceedings and no strict procedural rules are applicable. He submits that even otherwise, the documents are exhibited subject to cross-examination. Hence, there is no prejudice caused to the petitioner.

4. It is well settled principle of law that the proceedings under the Public Premises (Eviction of Unauthorized Occupants) Act, 1971 are summary proceedings providing a speedier remedy and no strict procedural laws are applicable for deciding the summary proceedings.

5. So far as the objections raised by the petitioner to all the documents are concerned, the impugned order specifically records that the documents are exhibited subject to cross-examination. Hence, I do not see any prejudice caused to the petitioner. It will always be open to the petitioner to cross-examine the witness about proof of documents.

6. Hence, I do not see any reason to exercise powers under Article 227 of the Constitution of India for interfering in the impugned order.

7. For the reasons stated above, the petition is dismissed.

8. Needless to record that it will always be open for the petitioner to raise all the objections about the proof of the documents at the time of cross-examination of the witness.

(GAURI GODSE, J.)