



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

Writ Petition (WP) No. 1918 of 2024

Mr. Mangaldas Arjundas Chaudhary (dead) through legal representatives
Smt. Chandrakala Mangal Choudhary and others

Versus

Mohd. Shahid S/o Mohd. Jabir and others

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

Court's or Judge's Order

Shri S.R.Gupta, Advocate for the petitioners.

CORAM : ANIL S. KILOR, J.

DATED : 26th APRIL, 2024.

Heard.

2. Without raising any defence in the written statement that the suit property is situated in a slum area and taking advantage of certain statements made in the cross-examination by the plaintiff that, the property is situated in a slum area, an application was moved by the petitioner for permission to file documents on record namely copy of slum notification issued by the Government of Maharashtra, declaring the suit property is situated in slum area and copy of deposition of A.W.No. 2 viz Wasudeo Aatmaram Kukde recorded in MJC No. 53 of 2017, which came to be rejected. Similarly, the application Exhibit 142 for calling records

and papers from the Court of the Judge, Small Causes, Court, Nagpur of MJC No. 53 of 2017, application Exhibit 143 for review of the order passed below Exhibit 139 on 02.02.2024, application Exhibit 144 for issuance of witness summons came to be rejected by the Judge, Small Causes Court, Nagpur in Regular Civil Suit No. 120 of 2013. Hence, this petition.

3. The learned trial Court rightly rejected of all these applications on the ground that there is no defence raised by the petitioner in the written statement that the land in question is situated in slum area. Hence, there is no reasons to interfere with the impugned orders. Accordingly, the writ petition is disposed of.

[ANIL S. KILOR, J.]