



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

Writ Petition No.5418/2024
(Dipak and others V Mustafa)

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

Court's or Judge's orders

Mr. N.S. Bhattad, Advocate for the petitioners.
Mr. A.S. Dhore, Advocate for respondent/Caveator.

CORAM : N.R. Borkar, J.
DATE : 22-10-2024.

This petition takes exception to the order dated 06-07-2024 passed by the learned Joint Civil Judge, Senior Division, Warora below Exhibit-207 in Regular Civil Suit No.72/2015.

ii. Respondent herein has filed the above suit for injunction against the present petitioners. By the impugned order, the learned trial Court has rejected the application filed by the present petitioners to admit certain documents filed by them on record in evidence and mark them exhibit.

iii. I have heard the learned Counsel for the petitioners and perused the impugned order.

iv. The learned trial Court has observed that on the basis of evidence led, the documents in question cannot be

said to be proved and petitioners are not interested in examining the concerned witnesses to prove the said documents.

v. The above finding recorded by the learned trial Court is not shown to be perverse. In that view of the matter, I am not inclined to interfere with the impugned order.

vi. The petition is dismissed. However, it would be open to the petitioners to examine the concerned witness to prove the documents in question.

(N.R. Borkar, J.)