



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

WRIT PETITION NO. 2331/2024

Ayyub Khan Sikandar Khan Pathan and others

Vs.

State of Maharashtra through District Collector, Yavatmal and others

Office Notes, Office Memoranda of Coram, Appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders
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Mr. Mazhar Khan, Advocate for petitioners

Mr. Alap Palshikar, AGP for Respondent Nos.1 to 3, 5, 6

CORAM: N.R. BORKAR, J.

DATED : 20th JULY, 2024

This petition takes exception to the order dated 16.01.2024, passed by the Civil Judge, Senior Division, Darwaha below Exh.89 in Regular Civil Suit No.77/2018.

2. By the order impugned the learned trial Court has rejected the application filed by the petitioners / plaintiffs to examine Sub-Registrar to prove certain documents.

3. It appears that by order dated 08.12.2023, the trial Court had refused to take the said documents on record and the petitioners had not challenged the said order.

4. The learned counsel for the petitioners submits that permission be granted to challenge the said order dated 08.12.2023. However, it transpired during the course of hearing of the

present petition that the trial Court has already posted the suit for judgment. Considering the facts and circumstances of the case, I am not inclined to interfere in the impugned order. It would be open to the petitioners to raise all the contentions in appeal, if decree adverse to the petitioners is passed.

5. The petition is disposed of in above terms. No costs.

(N.R. BORKAR, J.)

MP Deshpande