



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH: NAGPUR
WRIT PETITION NO. 3078 OF 2024**

Mahesh L. Tahiliyani and anr. ...Petitioners
Versus
Ashok G. Gathe ...Respondent

Mr. V.S. Kukday for the Petitioners.
Mr. P.P. Kotwal a/w. Adv. G.H. Barange for the Respondent.

**CORAM : N. R. BORKAR, J.
DATE : 22 JULY 2024.**

PC:-

. This petition takes exception to the order dated 20.4.2024 passed by the learned Civil Judge, Senior Division, Gadchiroli below Exhibit-93 in Special Civil Suit No.30 of 2011

2. The petitioners herein are the original plaintiffs. By the order dated 20.2.2024, their application for production of certain documents was allowed. By application at Exhibit-93, they sought permission to adduce further evidence to prove those documents. By the order impugned, the trial Court has rejected the said application.

3. I have heard the learned counsel for the petitioners and the learned counsel for the contesting respondent.

4. After allowing the production of documents, the trial Court ought not to have rejected the application filed by the petitioners. The learned counsel for the petitioners on instructions submits that except the petitioners/plaintiffs no other witness will be examined. In that view of the matter, the impugned order is set aside. The trial Court shall permit the petitioners to adduce further evidence in relation to the documents in-question.

5. I am told that there are direction to decide the suit expeditiously. In that view of the matter, the trial Court shall endeavour to decide the Suit within a period of three months from the date of receipt of copy of this order.

6. The Petition is disposed of in the aforesaid terms.

7. Pending Application(s), if any, are disposed of.

(N.R. BORKAR, J.)