



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

**CIVIL APPLICATION NO.9194 OF 2023
AND
CIVIL APPLICATION NO.1502 OF 2025
(For Production of Documents)
IN
SECOND APPEAL NO.435 OF 1997**

**SHANTABAI W/O BALKRUSHNA RADE.
DECEASED-THROUGH HER LEGAL REPRESENTATIVES
VERSUS
SMT. DWARAKABAI W/O KASHIRAM CHAUDHARY,
DECEASED, THROUGH HER HEIRS AND LEGAL
REPRESENTATIVES**

...
Mr. Sanket S. Kulkarni, Advocate for the Applicants.
Mr. Girish Rane, Advocate for the Respondents.
...

**CORAM : S. G. CHAPALGAONKAR, J.
DATE : 27th FEBRUARY, 2025.**

ORDER:-

1. The present Civil Applications are filed seeking permission for production of documents by way of additional evidence. This Court finds that applicants could not make out any reason as to why those documents were not brought on record during the trial or before the Appellate Court. All those documents were very much available and within knowledge of the applicants. No plausible reason is employed as to why such document could not be produced during the proceeding of the suit. Even otherwise, this Court has given conscious consideration to the contents of documents sought to be produced on record. One is judgment of

the revenue authority and second is registered Will executed by Gopabai in favour of plaintiff in respect of other property. The purpose behind production of documents is stated to be comparison of signature. Pertinently, document placed on record is mere xerox copy and in absence of any reason akin to the requirement under Order XLI Rule 27 of the Code of Civil Procedure, the production of document cannot be allowed.

2. In view of the above observations, Civil Applications stand rejected.

(S. G. CHAPALGAONKAR)
JUDGE