



Jose

IN THE HIGH COURT OF BOMBAY AT GOA
WRIT PETITION NO.329 OF 2025

MANDA SADANAND SHETYE

... PETITIONER

Versus

RITINHA MARQUES (SINCE DECEASED)
THR. LRS.

... RESPONDENTS

Mr. Gaurish Agni with Mr. Kishan Kavlekar, Mr Yash Naik and Mr.
Madhav Concolienar, Advocates for the Petitioner.

CORAM:- VALMIKI MENEZES, J.

DATED :- 13th August, 2025

P.C.:

1. Registry to waive office objections and register the matter.
2. After examining the impugned order, in my opinion, considering their nature, the impugned order does not call for interference. The Trial Court, while allowing the application, even though at the fag end of the trial at the stage of final arguments, ought to have addressed itself to the relevancy of the contents of the documents, more so in the light of the fact that the application for production of these documents is silent on their relevancy to the subject matter of the suit. After examining the documents, in what manner the same are relevant to the decision in the suit would be a question which the Court would have to examine along with the question of admissibility of the documents, at

the time they are tendered in evidence. The question of admissibility and relevancy are, therefore, required to be gone into by the Court when the documents are tendered in evidence.

3. Merely because the documents have been allowed to be relied upon and produced by the Plaintiff, would not preclude the aforementioned questions to be raised at the time the documents are tendered in evidence, and in any event, if admitted, the documents to be subject to the cross examination of the Plaintiff's witness who tenders the same in evidence.

4. The petition is rejected with the observations made above, which the Trial Court to take into account. No costs.

VALMIKI MENEZES, J.