

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO. 14315 OF 2024

SANTOSH
SUBHASH
KULKARNI

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SANTOSH SUBHASH
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Date: 2025.02.05
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Mukund Goroba Katmore ...Petitioner

Versus

Sanjay Narayan Bagade and anr. ...Respondents

Mr. Shriram Chaudhari, for the Petitioner.

**CORAM: N. J. JAMADAR, J.
DATED: 4th FEBRUARY, 2025**

PC:-

1. Heard the learned Counsel for the petitioner.
2. The challenge in this petition is to an order dated 23rd July, 2024 passed by the learned Civil Judge, Senior Division, Barshi, whereby the prayer of the petitioner to issue witness summons to the Manager, Osmanabad Janata Sahakari Bank Ltd., to produce the account extract in support of Account No.1335100000238 came to be rejected, with liberty to the applicant to apply for certified copy of banker's book, to the concerned Bank.
3. The learned Counsel for the petitioner submits that after the impugned order was passed, the petitioner had made such an application to the Bank. However, the prayer

was rejected. If that is the case, the petitioner would be at liberty to approach the trial court again with a prayer for issue of witness summons since the Bank has refused to furnish copies of the account extract.

4. Reserving the said liberty, the petition stands disposed.

5. In the event such an application is filed, the trial court shall decide the same on its merits and in accordance with law.

[N. J. JAMADAR, J.]