



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.99 OF 2025**

Ravikant Shankarappa Patil ... Petitioner
versus
Suvarna Siddheshwar Ganechari and Ors. ... Respondents

Mr. R.S.Alange, for Petitioner.

CORAM: N.J.JAMADAR, J.

DATE : 2 APRIL 2025

P.C.

1. Heard the learned Counsel for the Petitioner.
2. The challenge in this Petition is to an order dated 16 July 2024 passed by the learned Civil Judge, Solapur, whereby the application (Exh. 89) preferred by the Plaintiff to admit and mark the documents filed along with the list of documents (Exh. 28) in evidence, came to be partly allowed. In all 78 documents have been filed along with the said list of documents. The learned Civil Judge was persuaded to exhibit all those documents, except documents at Sr. Nos.19 and 46.
3. From the perusal of the impugned order, it appears that the learned Civil Judge was persuaded to exhibit the documents as most of the documents were stated to be public documents or the records of the acts maintained by the public authorities.
4. Learned Counsel for the Petitioner submitted that few of the documents

which were tendered along with the said list of documents (Exh. 28) do not bear the certificate as prescribed under Section 76 of the Indian Evidence Act, 1872. Some of the documents are not public documents and could not have been marked in evidence.

5. It is trite, mere exhibition of document is not proof of document. In the event, few of the documents which have been admitted in evidence as public document do not satisfy the description of public document as provided under the Indian Evidence Act, 1872. the Petitioner-Defendant would be at liberty to canvass the submission before the trial Court that a particular document cannot be read in evidence.

6. Keeping open the liberty to the Petitioner-Defendant to raise appropriate objections about the admissibility of a particular document, despite exhibition of the document, the Writ Petition stands disposed, as the impugned order is not such that it would warrant interference in exercise of supervisory jurisdiction.

(N.J.JAMADAR, J.)