

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 2375 OF 2025**

Chandrakant Govind Dahale

..Petitioner

Versus

Vinod Vishanji Dharod & Ors

...Respondents

Ms. Preeti Gokhale, i/b Divya A. Pawar, for the Petitioner.

CORAM: N. J. JAMADAR, J.

DATED : 26th FEBRUARY 2025

P.C.:

1. Heard learned Counsel for the petitioner.
2. The challenge in this Petition is to an order dated 31st July 2024 passed by the learned Civil Judge, Senior Division, Thane, whereby an application by the petitioner to have the document, i.e., rent receipt dated 1st October 1994, examined by handwriting expert, came to be rejected.
3. The learned Civil Judge, has referred to an earlier order dated 3rd December 2018 passed on Exhibit “49”, whereby the said document has been marked in evidence. By the said order, the said rent receipt dated 1st October 1994 was marked in evidence by the Trial Court by

ARUN
RAMCHANDRA
SANKPAL

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by ARUN
RAMCHANDRA
SANKPAL
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recording reasons and invoking the presumption contained in Section 90 of the Indian Evidence Act.

4. As the document has already been admitted in evidence and exhibited, by ascribing reasons, the prayer for sending the said document for the opinion of the handwriting expert is plainly unsustainable. There is no infirmity in the impugned order.

5. Petition stands dismissed.

[N. J. JAMADAR, J.]