

MJ Jadhav

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 11378 OF 2025**

Chandulal Ramnath Malpani And Anr. ... Petitioners

Vs.

Ramdas Alias Sainath Raghunath Sanap ... Respondent

Mr. Bhushan Deshmukh a/w Shashank Patore for the Petitioners.

CORAM : GAURI GODSE, J.

DATED : 3rd SEPTEMBER 2025

ORDER:

1. This petition is filed by the plaintiff to challenge the order dated 4th January 2024 by which the defendant's application at Exhibit 85 is allowed. By the impugned order, the plaintiff is directed to produce the original of the photocopies that are exhibited as Exhibits 37, 39, 43, 44, 47 and 48.

2. Learned counsel for the petitioner expresses an apprehension, as the said exhibits are part of a larger register and the plaintiff cannot be directed to produce on record the entire register.

3. By the impugned order, the petitioner is directed to produce

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the original for the purpose of verification by the handwriting expert. Hence, if the petitioner has any apprehension regarding production of the entire register only for the purpose of the relevant pages, it is always open for the petitioner to seek appropriate directions from the trial Court. Such apprehension cannot be a ground to interfere with the impugned order by exercising discretionary jurisdiction under Article 227 of the Constitution of India.

4. Hence, learned counsel for the petitioners seeks leave to withdraw this petition with liberty to file appropriate application before the trial Court for appropriate directions for proper implementation of the impugned order by taking care of the apprehension of the petitioners. Leave granted with liberty as prayed.

5. If such application is filed, the learned trial Court shall decide the same in accordance with law after hearing both the parties.

6. Writ Petition is disposed of as withdrawn with liberty as recorded above.

(GAURI GODSE, J.)