

IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 4415 OF 2025

SANTOSH  
SUBHASH  
KULKARNI

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SANTOSH SUBHASH  
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Date: 2025.04.23  
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Benjamin Nunes and anr. ...Petitioners

**Versus**

Vinayak Tulshiram Penkar and anr. ...Respondents

Ms. Ankita Pawar, for the Petitioners.

**CORAM: N. J. JAMADAR, J.**

**DATED: 22<sup>nd</sup> APRIL, 2025**

**PC:-**

1. Heard the learned Counsel for the petitioners.
2. The challenge in this petition is to an order dated 19<sup>th</sup> December, 2024 passed by the learned Civil Judge, Thane, whereby the prayer to exhibit the documents came to be rejected.
3. The learned Civil Judge was of the view that the documents have not been proved in evidence and the plaintiffs would be required to adduce evidence and prove the documents in evidence before they are admitted in evidence and marked.
4. No fault can be found with the impugned order.
5. The petitioners are at liberty to adduce evidence and prove the documents in evidence. In the event, the petitioners

seek leave to re-examine themselves or examine witnesses in proof of the documents, the learned Civil Judge shall decide those applications in accordance with law and permit the petitioners to adduce necessary evidence in proof of those documents.

6. Subject to aforesaid clarification, the petition stands dismissed.

[N. J. JAMADAR, J.]