



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

CRIMINAL WRIT PETITION NO.143 OF 2025

VEDBHUMI BUILDERS AND DEVELOPERS PRIVATE LTD AND OTHERS
VS
 PAWAN S/O DEOKISAN KOTHARI THR. DEOKISAN S/O CHHAGANLAL
 KOTHARI

*Office Notes, Office Memoranda of Coram,
 appearances, Court's orders of directions
 and Registrar's orders.*

Court's or Judge's order

Mr. G.B. Sawal, Advocate for the petitioner/s
 Mr. J.R. Bachwani, h/f Mr. R.K. Bachwani, Advocate for the respondent

CORAM : ANIL S. KILOR, J.

DATE : 6th MARCH, 2025

1. In this writ petition, a challenge is raised to the order allowing the application (Exh.43) moved by the respondent for the production of documents. While allowing such an application, the learned 8th Civil Judge Senior Division and A.C.J.M., Nagpur, passed a one-line order, i.e. "Production of document is allowed.". Since no reasons were recorded for allowing such an application (Exh.43), the application (Exh.46) was moved for recalling the order below Exh. 43. The said application came to be rejected. Hence, this petition.

2. After going through the record, it is evident that the order below Exh.43 does not disclose any reasons for allowing the same. The learned counsel for the respondent is not disputing the fact that no reasons are recorded.

3. In that view of the matter, I am of the opinion that

the present matter needs to be remanded back for considering the same afresh. Accordingly, I pass the following order:

(i) The writ petition is **partly allowed**.

(ii) The orders, below Exh.46 dated 25.11.2024 and below Exh.43 dated 09.08.024, passed by learned 8th Civil Judge Senior Division and A.C.J.M., Nagpur, are hereby quashed and set aside.

(iii) The matter is remanded back to learned 8th Civil Judge Senior Division and A.C.J.M., Nagpur, to decide the application (Exh.43) afresh, after hearing both the parties.

4. Needless to say that if any party wants to file an affidavit or a counter affidavit, he may be permitted, before deciding the application (Exh.43).

(ANIL S. KILOR, J.)