



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

WRIT PETITION NO.202/2025

Abhishek Ravishankar Agrawal .Vs. M/s Rai Saheb Gopi Kishan Agrawal Charitable
Trust, Village and Post Tumsar and Ors.

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

Court's or Judge's orders

Mr. O. A. Ghare, Advocate for petitioner.
Mr. S. V. Purohit, Advocate for respondent Nos. 1, 6 and 7.
Ms V. Umale, Advocate for respondent No.5.

CORAM : ANIL L. PANSARE, J.

DATE : JANUARY 30, 2025

Heard learned counsel for the parties.

2. One of the reasons why the Trial Court allowed the production of documents at the stage of argument is the finding of the Hon'ble Supreme Court in the case of **Levaku Pedda Reddamma and Ors.**, wherein the Court held thus:

*"3. It is well settled that rule of procedure are hand-
maid of justice and, therefor, even if there is some delay,
the trial Court should have imposed some costs rather
than to decline the production of documents itself.*

*4. Consequently, the appeal is allowed. The orders
passed by the trial Court and the High Court are set
aside. The appellants – defendant Nos. 2 to 5 are
permitted to file the documents and to prove the same
in accordance with law."*

3. In the present case also, the Trial Court imposed costs, which has been deposited.

4. In the circumstances, the purpose will be served if it is clarified that mere production of documents or exhibiting the same by itself will not amount to proof of contents of the same. The document will be examined on the touchstone of the provisions of the law including the Indian Evidence Act, 1872.

5. The petition is accordingly dismissed with above clarification. No order as to costs.

(Anil L. Pansare, J.)