

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 3247 OF 2026

Leena Rustom Dalal ..Petitioner
Versus
State of Maharashtra Through GP and Ors ...Respondents

Adv Shivani Prasad, i/b Jayakar and Partners, for the Petitioner.
Dr Dhruti Kapadia, AGP, for Respondent No.1-State.
Mr D.R. Kawale, for Respondent No.2-MCGM.
Mr. Raj Adhia, i/b Economic Law Practice, for Respondent No.3.

CORAM: N. J. JAMADAR, J.
DATE : 21st APRIL 2026

P.C.:

1. Heard the learned Counsel for the Petitioner.
2. The challenge in this Petition is to an order dated 10th September 2025, whereby the learned Judge, City Civil Court has marked only two of the 52 documents filed on behalf of the Petitioner.
3. Respondent No.3 has made a statement of admission and denial of the documents (Exhibit "L", page 457 of the Petition). Respondent No.3 has admitted few of the documents, in respect of few of he documents though the existence of the documents is admitted, contents thereof have been denied, and other document are denied.

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4. The Court is informed that Respondent No.1-Municipal Commissioner has also filed its say in regard to the documents sought to be tendered in evidence by the Plaintiff-Petitioner.

5. In these circumstances, the Court considers it expedient to direct the learned Judge, City Civil Court to consider afresh the issue of marking of the documents, except the documents at Sr. Nos. 47 and 48; which have been already marked as Exhibits “27” and “28”, after providing an opportunity of hearing to the parties.

6. The parties shall appear before the learned Judge, City Civil Court on 8th June 2026 and, upon hearing the parties, the learned Judge, City Civil Court shall afresh determine the issue of marking of the rest of the documents.

7. Petition disposed.

[N. J. JAMADAR, J.]