



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.17646 OF 2025**

Pandurang Ramji Dhumal	...	Petitioner
versus		
Janabai Shantaram Dhumal and Ors.	...	Respondents

Mr. Dhananjay K. Bhosale, for Petitioner.

CORAM: N.J.JAMADAR, J.

DATE : 10 FEBRUARY 2026

P.C.

1. Heard the learned Counsel for the Petitioner.
2. The challenge in this Petition is to an order dated 11 November 2025 passed by the learned Civil Judge, whereby the Estate Manager, MHADA, who was summoned as a witness, was discharged as the Petitioner refused to examine the said witness.
3. It appears that the Petitioner had sought an adjournment on the ground that the said witness had brought only three documents, though he was summoned to produce six documents. Learned Civil Judge declined to accede to the prayer to adjourn the hearing of the suit as the witness had brought the record that was available with his office.
4. When the witness had appeared before the Court along with the documents, the proper course for the Petitioner was to examine the said witness and seek explanation regarding the documents which the witness did

not produce.

5. Learned Counsel for the Petitioner, on instructions, submits that the Petitioner is willing to examine the said witness and an opportunity be granted to the Petitioner to examine the said witness with the record that has been produced by the said witness.

6. As the witness was summoned along with the documents, it implies that the Court had found the production of those documents necessary for a just decision of the suit. Therefore, to advance the cause of substantive justice, the Petitioner-Plaintiff deserves an opportunity to examine the said witness.

7. Hence, the order discharging the Estate Officer, MHADA, stands quashed and set aside.

8. The Petitioner – Plaintiff is permitted to examine the Estate Officer, MHADA as a witness.

9. The Petitioner – Plaintiff shall pay the travel expenses and charges of the witness, and costs of Rs.2,000/- to the Defendants, within a period of two weeks.

10. Writ Petition stands disposed.

(N.J.JAMADAR, J.)