



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

Writ Petition No.278/2026

Dr. Prashant and another V Vilas and others

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

Court's or Judge's orders

Mr. C.A. Babrekar, Advocate for petitioners.

**CORAM : PRAFULLA S. KHUBALKAR, J.**

**DATE : 21-01-2026.**

Heard.

2. By this petition, the petitioners have challenged order dated 13-03-2025 passed by the trial Court, by which the application filed by defendant nos.1 to 4 for impounding of documents is allowed.

3. Learned Counsel for the petitioners submits that the documents which are sought to be impounded are not exhibited and are not admissible in evidence and therefore there is no question of getting the documents impounded at this stage. He submits that at the most the documents should be marked as exhibit and their admissibility can be considered at an appropriate stage.

4. Perusal of the impugned order shows that the trial Court has allowed the application filed by the defendant nos.1 to 4 by observing categorically that the documents of 'Token Pavti', Earnest Note and 'Bharna Pavti' are acknowledging the amounts stated therein. It is observed by the trial Court that to get the documents exhibited, it is necessary to impound these documents and also observed that the option is with the plaintiff to get those documents exhibited, if the plaintiff

desires to use the documents as corroborated piece of evidence. The operative portion of the impugned order reads thus :-

- “1. Application is partly allowed.*
- 2. Plaintiff to clarify whether he want to get the document exhibited as substantive piece of evidence.*
- 3. Document needs to be impounded if plaintiff wish to get the document exhibited.*
- 4. Plaintiff to pay requisite deficit stamp duty as per rules if he want to rely on these documents”*

5. A perusal of the impugned order shows that the trial Court has recorded that the plaintiff has the option to take appropriate steps for getting the documents impounded. The impugned order does not cause any prejudice to the rights of the plaintiff and as such no perversity is seen with the impugned order. No interference is warranted under Article 227 of the Constitution of India.

6. Writ petition is accordingly dismissed.

**(Prafulla S. Khubalkar, J.)**