

ORDER BELOW EXH.39 IN SPL.C.S NO.97/2022
(CNR NO.MHJG0500016012022)
(Darshan Anilkumar Patel Vs. Kalpita Builders Pvt. Ltd. &
Ors.)

01. This is an application moved by the defendant No.1 and 2 for production of documents. They submit that, they are going to produce online copy of order passed by the Hon'ble High Court of Bombay, Bench at Aurangabad in Appeal From Order No.41/2022 dated 03/02/2023 on the record. They prayed to allow production and to read it in evidence.

02. Per contra, the plaintiff has filed his say and objected the application. He submits that, the copy enclosed is not certified copy and it is online copy. Hence, not admissible in evidence and to read in evidence.

03. Heard learned Advocate for defendant No.1 and 2 and learned Advocate for the plaintiff at length.

04. On perusal of list of document it reveals that, the plaintiffs want to produce online copy of order passed by the Hon'ble High Court of Bombay, Bench at Aurangabad in Appeal From Order No.41/2022 dated 03/02/2023 on the record. On perusal of it seems that the said copy is relevant with the fact in issue. It is often said that procedure is the handmaid of justice. Procedural and technical hurdles shall not be allowed to come in the way of the court while doing substantial justice. In my considered view, if production is allowed, no hardship will be caused to other side. Thus, I pass following order:

ORDER

1) Production of documents is allowed.

2) Online copy of an order passed by the Hon'ble High Court of Bombay, Bench at Aurangabad in Appeal From Order No.41/2022 dated 03/02/2023 be exhibited and read in evidence.

Place :- Jalgaon

Dated :- 29/03/2023.

(S.P. Sayyed)

3rd Jt. Civil Judge (S.D.),
Jalgaon