

ORDER BELOW EXH. 43 IN R.C.S. NO. 30/2014.

CNR NO. : MHST07-000197-2014

01. This is an application filed by defendant no. 1 for taking cognizance of false statements made on oath and false document filed on record by plaintiff company and sending the matter for investigation.

02. In the instant suit, it is the contentions of defendant nos. 1 and 2 that plaintiff company had made false statement on oath and filed false document on record. To lend support to his contentions reliance was placed on the cases of :-

- 1) Union of India and others Vs. Haresh Virumal Milani reported in 2017(4) Mh.L.J. 441.
- 2) State of Orissa ad another Vs. Fakir Charna Sethi (Dead Through Lrs) & others reported in AIR 2015 SC 246.

But it would be imperative to note that unless there is verification of documents and evidence on record, this court cannot take cognizance of this matter and refer the matter to investigation. At this stage of the proceedings the application it would be premature in nature. In these circumstances it would be proper to decide the application after the conclusion of the trial. In the result, I pass the following order :-

ORDER

(01) Application Exh.43 to be decided after conclusion of the trial.

Date :- 11-01-2018.

(R. T. Ghogle)
2 nd Jt. Civil Judge J.D., Karad.