MHST200009992020

ORDER BELOW EXH.29 IN Civil M.A. NO.33/2023

Perused the application and say. Heard both the sides. They argued in consonance of their respective application and say.

02. Applicant is seeking production of documents with list. The application is contested by the opponent on the ground that the applicant has not given the reason for not filing the said power of attorney before the cross-examination. Therefore, he prayed to reject the application.

03. If the application is allowed, the question of admissibility and relevancy will be opened as it is. If, mere production is allowed, no prejudice would cause to the opponent. The notarized document of power of attorney has presumption under section 84 of the Bhartiya Sakshya Adhiniyam. The opponent is at liberty to challenge the said document during his evidence. Therefore, I am of opinion that production of documents alongwith list are needs to be allowed. Hence, following order -

ORDER

1] Application is allowed.

2] Production of documents is allowed.

3] Costs in cause.

ANKUSH ATMARAM PACHARNE
Digitally signed by ANKUSH ATMARAM PACHARNE
Date: 2026.02.11 17:02:41 +0530

Date : 06.02.2026

(A. A. Pacharne)
Jt. Civil Judge Senior Division, Wai.