IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 5021 OF 2025

Fulabai Bhausaheb Bansude .. Petitioner

Versus

Deepak Sopanrao Bansude And Others .. Respondents

Mr. Sharad V. Natu, Advocate for the Petitioner.

CORAM : KISHORE C. SANT, J.

DATED : 24th APRIL, 2025.

P. C. :-

. Heard learned advocate for the petitioner – original defendant No. 4.

2. The respondent No. 1 has filed a suit for declaration that leave and license deed and registered sale deed dated 06.04.2017 are executed by defendants illegally without authority and by playing misrepresentation and influence on defendant No. 4. In the suit, the plaintiff filed an application seeking direction to defendant Nos. 1 to 4 to produce their bank account statement in respect of the entries regarding alleged consideration of the disputed sale deeds. The learned Trial Judge by the impugned order allowed this application below Exh. 40 directing defendants to produce their bank account

statements in respect of the entries of alleged consideration mentioned in the disputed sale deeds.

3. The learned advocate for the petitioner submits that, by way of this order the learned Court has directed the defendants to give evidence against themselves. It is submitted by the petitioner that, it is for the plaintiff to prove the said fact. Instead of taking the burden on himself, the plaintiff has filed this application. The learned Court below has failed to appreciate this fact. He thus submits that, a case is made out to take cognizance of the impugned order.

4. Considering the above, issue notice to respondents, returnable on 03.07.2025.

5. Till further orders, there shall be ad-interim relief in terms of prayer clause (C).

(KISHORE C. SANT, J.)

P.S.B.