

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

MISC.CIVIL APPLICATION NO. 244 OF 2017

SHITAL KRUSHNA DHAKE
VERSUS
KRUSHNA DAGDU DHAKE

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Advocate for Applicant : Shri Kulkarni Suvidh S.
Advocate for Respondent : Shri Narwade Narayan B.

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CORAM : RAVINDRA V. GHUGE, J.

Dated: February 02, 2018

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PER COURT :-

1. Learned counsel for the applicant has expressed an apprehension that the order of this Court dated 20.12.2017 as well as this order, would be available on the official website of the Bombay High Court and there is a possibility that since it would not be a certified copy of the order, the trial Court may insist upon producing a certified copy.

2. I am of the view that this apprehension is misplaced since the print out of the orders of this Court from the official website has sanctity and the trial Courts are expected to consider the said orders, if they are cited after taking a print out from the official website. The said orders are also available before the trial Court from the official website and there can be a counter verification to find out

whether such an order is actually uploaded to the official website or not. In this backdrop, there is no harm if such a print out from the official website is placed before this Court.

3. It is informed by the learned Advocates that, in several cases before various trial Courts, the learned Judges insist on production of the certified copy of the order and they are not inclined to consider the print out of an order from the official website of the Bombay High Court, as being a reliable document. As observed in the foregoing paragraphs, in the event of any doubt in the mind of the learned Judge, it can be checked from the official website of the Bombay High Court as to whether such an order has been uploaded or not? Once the order is uploaded on the official website, it is a reliable document to be considered by the Court before whom it is cited.

4. Since several lawyers in the Court room have addressed this Court on this common issue, the learned Registrar (Judicial) of this Court is directed to circulate this order to all the learned Principal District Judges of the District Courts in Maharashtra, so as to bring this aspect to the notice of all the learned Judges working in the judicial districts in this state.

5. This matter shall stand over to 26.2.2018 and the interim relief granted earlier to continue.

6. The applicant in this proceedings is at liberty to move an application for seeking recalling of the 'No evidence' order passed by the learned Civil Judge (S.D.) Newasa in HMP No.12 of 2014, dated 4.1.2018 since the said order was passed though this Court had passed an order on 20.12.2017.

(RAVINDRA V. GHUGE, J.)

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akl/d

