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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 12114 OF 2018**

The Trustees of the Bai Soonabai Hirji Agiary ... Petitioners
Trust and Ors

vs.

Murlimal Santram ... Respondent

Mr. Jamsheed Master a/w. Mr. Smith Barboz i/b. Mulla and Mulla
and Craigie Blunt and Caroe for the Petitioners.

CORAM : GAURI GODSE, J.

DATED : 30th SEPTEMBER 2026

ORDER:

1. This petition is by the original plaintiffs challenging the order passed by the trial court and confirmed in the revision allowing the defendant's application for taking on record the documents in evidence. This is purely an interlocutory order which in no manner affects the rights of the parties. No prejudice is caused to the petitioners.

2. Normally, court should be very slow in interfering with such an interlocutory order in its discretionary jurisdiction under Article 227 of the Constitution of India. Moreover, in view of Section 105 of the

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Code of Civil Procedure, 1908 (“**CPC**”) the impugned order can always be challenged in an appeal against the decree which may be passed in the suit, in the event the decree is adverse to the petitioners.

3. Subject to the aforesaid observations, the petition is rejected while keeping rights and contentions of the parties in the suit open.

(GAURI GODSE, J.)