

In the Court of Addl. District Judge – IX, Gaya

T.A. No. 16/2006(D.J)

11/2015

Fulla Devi and others Vs. State of Bihar

Advocate for Petitioner - Mr. U. K. Pandey, Advocate

Advocate for state - Learned A.G.P.

O R D E R

Under order 41 rule 27

10.03.2021 *An application dated 23.02.2017 supported by an affidavit has been submitted on behalf of the respondent under order 41 rule 27 of the CPC in which it has been stated that the two documents one is certified copy of Judgment and decree (T.S. 5/69)of Addl. Subordinate Judge – II, Gaya and second is certified copy of Judgment (T.A. no. 17/70 | 12/70) of A.D.J – II, Gaya which are related to the disputed issue and also necessary for establishing the relation between the Rabindra Nath Bajpai and Ram Charan Bajpai . It is further stated that both the documents are public documents and these documents are very important for the just and equitable decision of the case. Prayer has been made for admission of this documents in evidence.*

The opposite state of Bihar has objected to the above application in their written objection. He has opposed it on the ground that the documents which are desired to be admitted are not essential to pronouncement of judgment of the present appeal . A prayer for rejection of the application has been made.

I have heard the learned counsel for the parties and perused the record, on perusal it is cleat that documents are related to the disputed land and issues .

Hence, considering the facts and circumstances of the case the application for admitting the documents in evidence is allowed on payment of Rs. 1,000/- as costs in favour of D.L.S.A. The opposite State of Bihar may file documentary evidence in rebuttal, if any within one month. Fixed on 31.03.2021 for depositing the costs and thereafter for filing documents (rebuttal) of opposite .

(Dictated)

Sd/-
(Anju Singh)
Addl. District Judge – IX
Gaya
10.03.2021