

Serial No.	Date of order of proceeding	Order with signature of the court	Office notice taken with date.
1	2	3	4
	17.11.2021	<u>In The Court of Addl. District & Sessions Judge – IX, Gaya</u> <u>Title Appeal No. 16/2006</u> <u>11/2015</u> Attendance has been filed on behalf of both the parties. Record put up today for hearing on petition dt. 17.11.2021 filed by the appellants. The learned counsel for the appellants is present before the court and submitted that the petition dt. 23.07.2016 u/o 41 Rule 27 of C.P.C. to take Khewat into evidence at the appellate stage for proper adjudication in the case, which petition was allowed by the predecessors in court of this court under and order dt. 25.07.2019 and further submitted that Khewat is record of right of the then Ex-landlords and every records of right is public document. The learned counsel for the petitioner has also submitted that another petition dt. 23.02.2017 u/o 41 Rule 27 of C.P.C. to take certified copy of judgment and decree of T.S. no. 5/69 of Additional Sub Judge II, Gaya and another certified copy of T.A. no. 17/70, 12/70 of A.D.J. - II, Gaya under an order dt. 10.03.2021 your honour has pleased to allow the petition and further allowed to take both judgments into evidence. All the three aforesaid documents are allowed to be taken into evidence by the above noted orders are public documents as such all the three documents may be marked as exhibits in addition to exhibits of lower court. Hence, it is therefore prayed to mark those above mentioned documents as exhibits as the same are public document.	

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		The Ld. Counsel for the state is present before the court and submitted that he has no objection to mark the public document as exhibits. Heard both the parties and perused the case record. On perusal of record it appears that above mentioned documents are public documents. Considering the above facts and the interest of justice petition dt. 17.11.2021 is allowed and certified copy of Tauzi No. 34/34, Khewat No. 2 Vs. Ramcharan Bhajpai S/o Bhagwan Bhajpai, certified copy of Judgment and decree of Title suit no. 5/69 of Additional Sub Judge – II, Gaya and certified copy of Title Appeal no. 17/70, 12/70 of A.D.J. - II, Gaya has been marked as exhibits – 11, 12 and 12/A respectively. Put up on 02.12.2021 for hearing. (Dictated) Sd/- A.D.J. - IX, Gaya	

Schedule XLII- High Court (J) 9a [Old (M) 164.]

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