

**IN THE COURT OF CIVIL JUDGE (S.D), GOGARI
PRESENT PRESIDING OFFICER SH. SUMIT KUMAR SINGH
TITLE SUIT NO. 15 OF 2014**

IN THE MATTER OF:

BAHESGWAR SHARMA

...PLAINTIFF

VERSUS

KAILASH SINGH (DEAD) & ORS.

...DEFENDANTS

**ORDER
22.02.2024**

Present application dated 10.10.2023 has been filed by the plaintiff praying inter-alia for taking on record certain documents.

It has been contended by the plaintiff that on 30.11.2018 the matter was kept for evidence of plaintiff. The next date for evidence of plaintiff was fixed for 11.12.2018. However, instead of recording evidence of plaintiff, the evidence of defendant begun. As a result the document filed by plaintiff could not marked in evidence. The plaintiff forgot the document due to inadvertent error. Now when the matter was being prepared for the final arguments, the plaintiff came across the document which is necessary for this case. Hence, prayer was made to allow the plaintiff an opportunity to adduce one evidence.

On the other defendants have objected the application on the ground that the application cannot be allowed at this stage.

Heard Id. counsel for the parties. It appears that the plaintiff

should had raised the issue at the first possible instance instead of waiting till the conclusion of trial. However, it appears that the submissions of plaintiff has got some merit. Hence, the present application is allowed subject to cost of Rs. 500 payable to Bar Association Gogari. List the matter on 26.02.204 for evidence of plaintiff.

Civil Judge (SD)