

**IN THE COURT OF CIVIL JUDGE (S.D),
GOGARI, KHAGARIA**
PRESENT PRESIDING OFFICER SH. SUMIT KUMAR SINGH
TITLE SUIT NO. 17 OF 2016
IN THE MATTER OF:
MUKHLAL CHAMI ...PLAINTIFF

VERSUS

KAILASH CHAMI & ORS. ...DEFENDANTS

**ORDER
22.06.2022**

Plaintiffs have filed an application on 19.03.2020 under section 76
Evidence for marking of certain documents.

The Documents are as follows:

1. Certified copy of khatian of khata 326.
2. Certified copy of application for information of jamabandi no.
1270 dated 18.11.2016.
3. Certified copy of application for information of jamabandi no.
1370 dated 12.06.2017.
4. Certified copy of application for information of jamabandi
no.1370 dated 06.06.2018.
5. Certified copy of order dated 05.02.2014 passed by DCLR.
6. Certified copy of sale deed dated 05.02.1959.
7. Certified copy of sale deed dated 03.03.1978.
8. Certified copy of sale deed dated 04.03.1978.
9. Certified copy of sale deed dated 04.03.1978.
10. Original genealogical table issued by Circle Officer.

It was contended that the documents are public documents and

the same may be marked as exhibits for the plaintiffs.

Defendants have filed reply to the present application. It has been submitted that documents as mentioned at Sr. No. 2, 3, 4 are not public documents. For rest of the documents no objection has been raised.

Heard ld. Counsel for the parties and perused the record. Perusal of record shows that the documents as mentioned at Sr. No. 1, 5 to 10 are public documents and not objected by the defendants. Hence, the same are allowed to be marked as exhibits for the plaintiffs.

So far as documents as mentioned at Sr. No. 2 to 4 are concerned this Court had perused the same and found that the plaintiffs have applied for obtaining certified copy of khatian. The documents as mentioned above are mere application for obtaining certified copy of khatian. As such the same are not public document within the meaning of section 74 of Evidence Act. Hence, the said documents are not taken in evidence. Prayer partly allowed.

List on 11.07.2022 for evidence of plaintiffs.

Civil Judge (SD)