

L.A.C. 54/2013

02-08-2018

ORDER ON IA NO. 1 DATED
29-11-2017 FILED UNDER ORDER
XI RULE 14 R/W. SEC. 151 OF CPC

The claimants No. 4 to 6 have filed this IA praying to direct the respondent to produce original documents received by the claimants on 05-12-2012, along with agreements, bonds executed and affidavits filed by the said claimants along with entire file relating to the above proceedings. The claimant No. 5-Ramaiah in an affidavit accompanying to the IA has also stated similar facts averred in the IA. It is also stated that the documents sought to be produced are necessary and relevant to adjudicate the dispute involved between the parties in this case. The objections have been filed on behalf of the respondent to this IA mainly contending that claimants No. 4 to 6 without filing application for return of the documents before the LAO, have filed this IA. It is also contended that the claimants No. 4 to 6 have not produced acknowledgement for having produced the documents before the respondent, which they sought to be produced in this IA. These main grounds among others contended in

the objections, prayer to reject the IA.

The LAO has made reference u/secs. 30 and 31(2) of LA Act for apportionment of the compensation awarded to the acquired land measuring 02 acres 17 guntas in Sy. No. 104/2 of Kommaghatta Village. The claimants No. 4 to 6 subsequent to filing the IA, have produced copy of the acknowledgement dated 05-12-2012 and copy of the letter dated 05-12-2012 evidencing the production of the documents described therein before the respondent-SLAO, BDA, Bengaluru. The documents produced with aforesaid letter dated 05-12-2012 by the claimants No. 4 to 6 before respondent are necessary for just and effective adjudication of dispute involved between the parties in this reference. The claimant No. 4 to 6 apart from seeking production of documents filed by them through aforesaid letter dated 05-12-2012 also sought to direct the respondent to produce agreements, bonds executed and affidavits filed by the claimants along with entire file related to the proceedings, but such documents are of no much relevance for adjudication of dispute in this reference. Therefore, it is just to direct respondent-LAO to produce only the documents produced by the claimants No. 4 to 6 through their

letter dated 05-12-2012. Thus,
I proceed to pass the following:-

ORDER

The IA No. 1 dated 29-11-2017 filed under Order XI Rule 14 r/w. Sec. 151 of CPC is partly allowed. The SLAO/ respondent is hereby directed to produce the documents submitted before him by the claimants No. 4 to 6 through their letter dated 05-12-2012.

No order as to cost.

Issue summons to the SLAO/respondent -BDA, Bengaluru, to produce documents as ordered in this IA No. 1, if the claimants No. 4 to 6 pay the PF.

Await SS of SLAO/respondent and evidence by 24-08-2018.

**II Addl. City Civil & Sessions Judge
and Spl. Judge, City Civil Court,
Bengaluru.**