

KABC170032902025



**IN THE COURT OF LXXXIV ADDL. CITY CIVIL &
SESSIONS JUDGE, AT BENGALURU (CCH-85)
(Commercial Court)**

THIS THE 20th DAY OF FEBRUARY 2026

PRESENT:

**SRI. ANAND T. CHAVAN. B.Com.,LL.B.(Spl.)
LXXXIV ADDL. CITY CIVIL & SESSIONS JUDGE,
BENGALURU.**

Com.O.S.No.1458/2025

Plaintiff:-

Punjab National Bank,
(Erstwhile Oriental Bank of Commerce),
Yelahanka Branch, Site No.1053,
(Opp. RMZ Galleria) NH-7,
B.B. Road, Yelahanka,
Bangalore-560064.
Rep by its Senior Manager,
Sri. S. N Girish,
S/o Late S.N. Kalluraya,
Aged about 54 years,
As the Prncipal Officer thereof
Mob: 9449773052
Email: bo082610@pnb.in

(Rep by Sri. Ramesh Kumar K -Advocate)

V/s

Defendant:- **Sri. Manohara L H,**
 Aged about 42 years,
 H/o Late Sopna H,
 M/s Tirumala Telecom,
 Prop: Late Sopna.H,
 Presently Sri. Manohara L.H,
 No.3029, 4th Block,
 Janapriya Heavens APPT,
 Near Allalassandra Lake Yelahaka,
 G.K.V.K Post, Bangalore-560065.

(Rep By Sri. B.N. Yogendra - Adv)

PARTIES TO IA.NO.I

Applicant/ Punjab National Bank,
Defendant:

V/s

Opponent/ Manohar L.H,
Plaintiff:

(i)	Provisions under which the application is filed	U/Or.11 Rule 1(10) of Commercial Court Act 2015.
(ii)	Relief sought for	Seeking to produce documents
(iii)	The date on which the application are filed	04.02.2026
(iv)	Number of the application	1
(v)	The date on which the objections are filed by different opponents	By plaintiff on 17.02.2026
(vi)	The date on which the orders were passed on the said application	20.02.2026

ORDER ON IA No.1

The defendant has filed present application Under Order 11 Rule 1(10) of Commercial Court Act, 2015 seeking permission to produce additional documents enclosed with the application.

2. It is averred in the affidavit of defendant filed in support of the application that, the case is posted for further chief examination of DW1 on 04.02.2026. The proposed 54 Original Medical Bills were not produced at the time of filing of the written statement as the above documents were misplaced. Hence defendant was unable to produce said documents at the time of filing the above suit. Now he is filing aforesaid documents, which are relevant documents in support of his side in the above case. If the accompanying application is not allowed, defendant will be put to irreparable loss. These amongst other grounds, it is prayed to allow the application.

3. The plaintiff bank has filed its objections to above application, wherein it is averred that, the application is neither maintainable under law nor sustainable under the facts and circumstances of this suit. It is further averred that, the aforesaid medical bills

produced by defendant are irrelevant and unwarranted for the case and same are not at all related to the suit claims. It is further averred that wife of defendant Late Sopna H borrowed loan of Rs.10 Lakhs from plaintiff bank as a Proprietor of Tirumala Telecom for business purpose agreeing to repay the loan with interest in monthly installments and she died intestate on 11.12.2024. Now plaintiff has ascertained that defendant being her husband has succeeded estate of her properties. Legal heir affidavit was also given by the original borrower dtd.28.11.2023. Hence it is legal obligation of defendant to repay the loan. It is further averred that as an afterthought idea now defendant has put forth the false claims with ulterior motive and these amongst other grounds, it is prayed to reject the application.

4. The following points arise for consideration;

1. Whether defendant has made out grounds to permit production of additional documents enclosed with present application?

2. What order?

5. Heard arguments of both sides, perused records.

6. My answer in the above points are as under:

***Point No.1:- In the Affirmative,
Point No.2:- As per final order,
for the following;***

REASONS

7. Point No.1:- The plaintiff has filed present suit against the defendant seeking recovery of Rs.7,39,247.14/- towards suit claim together with court costs and current and future interest at the rate of 10.65% per annum compounded monthly from date of suit till realization. It is further prayed to proceed against the defendant and his mortgaged immovable properties in the schedule for realization of the amounts due and in case it is not adequate to recover the decretal amount, to permit the plaintiff to proceed against the defendant personally and against their all other properties holding by him personally for recovery of decretal amount.

8. Now the evidence of plaintiff has been concluded and when matter is posted for further chief examination of defendant /DW1, said defendant has come up with present application seeking to produce 54 medical documents related to ailment of the original borrower. It is specific case of plaintiff that,

defendant being husband of deceased borrower has succeeded to her estate and as such he is liable to pay the above loan. On the other hand defendant has specifically contended that he is not liable to pay above loan and now he intends to produce above medical documents with regard to treatment of deceased borrower received in the year 2024. Hence the above documents appears to be necessary for effective adjudication of the case. Moreover, defendant has specifically stated that, the above documents could not be produced earlier as same were misplaced and as such he has made out reasonable cause under Order XI Rule 1(10) of CPC for not producing said documents at the time of filing written statement. The delay and inconvenience caused to other side may be suitably compensated by means of cost. Hence, sufficient grounds are made out by defendant to allow production of aforesaid documents at this stage and as such the application deserves to be allowed. Accordingly **Point No.1 is answered in the Affirmative.**

9. Point No.2:- For the reasons stated and findings given on Point No.1, the following is:-

ORDER

IA No.1 filed by defendant Under Order 11 Rule 1(10) of Commercial Courts Act, 2015, is hereby allowed on cost of Rs.500/-.

The documents enclosed with IA No.1 are taken on record.

[Dictated to the Stenographer Grade-III, directly on the computer, typed by her, then corrected and signed by me and pronounced in the Open Court, dated **this the 20th day of February 2026**]

(ANAND T. CHAVAN)

LXXXIV Addl.City Civil & Sessions Judge,
Bengaluru.