

KABG040008352018



IN THE COURT OF IV ADDL. CIVIL JUDGE AND JMFC BELAGAVI.

PRESENT: Bhuvaneshwari D. BA, LLB (Hon's), LLM.
IV Addl. Civil Judge & JMFC.,
Belagavi.

Dated this 07th day of July, 2026

ORIGINAL SUIT No.404/2018

PLAINTIFFS:	1. Shri. Sunil S/o. Amrut Jadhav, Age: 40 years, Occ: Agriculture, R/o: Laxmi Galli, Gojage village, Taluka and District: Belagavi. And others
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V/s.

DEFENDANTS:	1. Shri. Pundalik Nagu Savant, Age: 40 years, Occ: Nil, R/o: Laxmi Galli, Gojge village Taluka and District: Belagavi. And others
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<u>ORDER ON I.A.No.IV</u>	
APPLICANT/ DEFENDANTS	Shri. Pundalik S/o Nagu Savant and others
(By Shri S.V. Kulkarni, Advocate for D-1 and 2) (By Shri. G. C.Magi, Advocate for D-3 and 4)	
-AND-	

PLAINTIFFS/ OPPONENT:	Shri. Sunil S/o. Amrut Jadhav and others
(By Shri. R. G. Jadhav, Advocate)	

PARTICULARS

i	Provision under which the application is filed	Order VIII Rule 1(a) r/w Section 151 of C.P.C
ii	Relief sought for	Production of documents.
iii	The date on which the application is filed	24.07.2023
iv	Number of application	I.A.No.IV
v	The date on which the objections are filed by different opponents	29.07.2025
vi	The date on which the orders were passed on the said application.	07.07.2026

ORDER ON I.A.No.IV FILED BY DEFENDANT No. 1 UNDER ORDER VIII RULE 1(a) R/W SECTION 151 OF C.P.C

IA No.IX is filed under order VIII Rule 1(A) R/w Section 151 of CPC by defendant No.1 seeking production of documents as per list.

2. In the accompanying affidavit, it is contended that suit is instituted by the plaintiff on the basis of nonfounded allegations. It is further contended that the documents that are sought to be produced are essential documents which are the material to decide the case on merits. Hence, this I.A.

3. Counsel for plaintiff has filed objection to IA No.IV contending that application is filed at belated stage without assigning any satisfactory reason for their non-production at the inception of the trial. It is allegation that documents that are produced are created. Hence, sought for rejection of application.

4. Heard counsel for plaintiffs Sri. RGJ and hearing by counsel for defendants No.1 and 2 is taken as nil.

5. After careful perusal of the contents of I.A. and the arguments canvassed by the counsel of plaintiffs, the following points arise for the consideration;

POINTS

1. Whether the applicant has made out sufficient grounds to allow the application?

2. What order?

6. Upon placing emphasis on the facts sworn in the affidavit and the arguments put-forth by the learned counsel for the plaintiff respectively and taking into account the pleadings of both the parties this Court answers the following points as aforementioned;

Point No.1 : In the Affirmative

***Point No.2 : As per the final order
for the following;***

REASONS

7. **POINT NO.1:** This suit is filed by the plaintiffs for the relief of perpetual injunction against the defendants. It is further contended that defendants are seeking production of documents as per the list which are the extract of R.S. No. 85 of Bekkinkeri village, PT Sheet of R.S. No. 85, News item published in Vijayvani Kannada daily news paper, BHIMS Hospital Bill and Record, photographs and certified copy of Interim order passed in R.A. No. 108/2023. The said documents are essential to adjudicate the matter in dispute in its entirety. The objections can be considered at the time of making the documents. It is also well settled permitting to produce the documents do not serve as proof of those documents since the evidence is not yet commenced no prejudice will be caused to the other side. Hence, this court deems it appropriate to allow this application. **Accordingly Point No. 1 is answered in the Affirmative.**

8. **Point No.2 :** Based on the discussions made on Point No.1, this Court proceeds to pass the following;

ORDER

I.A.No.IV filed by the defendants under Order VIII Rule 1 (a) R/w Section 151 of CPC is hereby allowed.

Defendants are hereby permitted to produce the documents.

The documents produced along with I.A are taken on record.

**For reply on I.A. No. V by
defendant No. 1 and 2 finally by
08.07.2026.**

(Dictated to the Stenographer, transcribed and typed by her, corrected by me and then pronounced in the Open Court, on this the 07th day of July, 2026)

**Sd/-
(Bhvaneshwari D.)
IV Addl. Civil Judge & JMFC,
Belagavi.**