

**IN THE COURT OF THE ADDL. CIVIL JUDGE & JMFC,
AT: JAMKHANDI.**

PRESENT

**Smt.Shreedevi,
B.Com LLB,
Addl. Civil Judge & JMFC,
Jamkhandi.**

Dated this the 13th day of August – 2025

O.S. No.70/2024

1. Smt.Shanta W/o Balappa Murnur,
Age: 60 years, Occ: Household work,
R/o. Kankanawadi village,
Tq: Jamkhandi, Dist: Bagalkot.

.....Plaintiff.

(By Shri.C.P.B., Advocate)

- Vs -

1. Smt.Prabhavati W/o Mahantesh Mudnur,
Age: 30 years, Occ: Household work,
R/o. Kankanawadi village,
Tq: Jamkhandi,
Now at Ambalzari, Tq: Bilagi,
Dist: Bagalkot
and Others.

.....Defendants.

(D-1 & D-2 - By Shri.S.C.K., Advocate)

(D-3 & D-4 - By Shri.B.G.B., Advocate)

I.A.No.V

1. Smt.Shanta W/o Balappa Murnur,
Applicant/Original Plaintiff.
- Vs -

1. Smt.Prabhavati W/o Mahantesh Mudnur
 and three Others,
Opponents/Defendants.

Sl. No.	Details	Particulars
1	Provision under which the application is filed	Under Order VII Rule 14 R/w Section 151 of CPC.
2	Relief sought for	Production of documents.
3	The date on which the application is filed	17-07-2025
4	Number of the applications	I.A.No.V
5	Stage of the case	Petitioner Evidence
6	The date on which the objections are filed by the different opponent/s	04-08-2025
7	The date on which the orders were passed on the said application/s.	13-08-2025

ORDER ON I.A No.V

That, plaintiff has filed the application under Order VII Rule 14 R/w Section 151 of CPC seeking permission to produce documents.

2. In the affidavit annexed to the application, the plaintiff submits that she was unable to produce the documents sought to be produced earlier, as they were not available to her in time. The plaintiff contends that the said documents are essential for adjudicating the matter in dispute, and without them, the case cannot be properly decided. It is further submitted that if the application is not allowed, she will suffer irreparable loss and injury, whereas no prejudice or harm will be caused to the other side if the application is allowed. Hence prayed to allow the application.

3. Defendants No.1 and 2 have filed their objections to the application filed by the plaintiff. In their objections, the defendants have denied all the averments made in the plaintiff's affidavit. They have further contended that the documents sought to be produced are false and fabricated. Therefore, the defendants have prayed that the application be rejected with costs.

4. On the basis of the rival contentions the following points arise for determination:-

: P O I N T S :

1. Whether plaintiff has made out ground to permit her to produce the documents?

2. What Order?

5. Heard the both counsels. Perused the available material on record and my findings on the above points are as below;

Point No.1:- In the Affirmative,

Point No.2:- As per the final order for the following,

:: R E A S O N S ::

6. **Point No.1:-** That plaintiff has filed this suit for declaration, declaring that, she is the class-I legal heir of the deceased Mahantesh S/o Balappa Mudnur.

7. The Court is of the view that both parties must be afforded a fair and reasonable opportunity to present their respective cases. No party should suffer injustice on account of procedural technicalities. The plaintiff seeks permission to produce certain documents in support of

her case. If permission is granted, the defendant shall have the opportunity to cross-examine the plaintiff with reference to the said documents. In my considered opinion, the plaintiff has made out sufficient grounds to allow her to produce the said documents. Hence, point No.1 is answered in the '**Affirmative**'.

8. **Point No.2:-** In view of the discussion and conclusion this court proceed to pass the following:-

: ORDER :

The application filed by the plaintiff under Order VII Rule 14 R/w Section 151 of CPC is allowed with cost of Rs.200/-.

Plaintiff is permitted to produce the documents mentioned in the list.

(Dictated to the Stenographer directly on computer, after typed by him, corrected and then pronounced by me in the open court on this the 13th day of August - 2025).

**Sd/-
(Smt.Shreedevi),
Addl. Civil Judge & JMFC,
Jamkhandi.**

