

29.7.2015

ORDER ON IA., UNDER ORDER VII RULE 14(3)
R/W SEC. 151 OF CPC.

The plaintiff has filed this IA., seeking permission to produce the documents.

2. Defendant No.4 has filed objection to this IA.
3. I have heard on both side and perused record.

4. At the stage of further chief-examination of PW.1 the plaintiff has filed this application seeking permission to produce the documents for marking them as Exhibits. The main objection raised by defendant No.4 is that the application is filed at a belated stage. On this point, the learned counsel for plaintiffs argued that the application has been filed at appropriate stage of evidence and there is no delay. Considering the fact that the stage of the case is for further chief examination of PW.1, the application has been filed at the appropriate stage seeking permission to file the documents.

5. The objection raised by the defendant No.4 is that the application is impermissible to mark. This objection cannot be raised at the time of production of document. If any documents produced by the plaintiff are admissible in evidence, then it is for the defendant No.4 to raise such objection while marking the documents. Hence, such objections at this stage is not sustainable under the Law.

6. If the production of documents is not allowed, the Plaintiffs will be put to great hardship and injury as they have to prove their case on the basis of material oral and documentary evidence. Hence, the applicant has made out grounds for allowing the IA. Therefore, I proceed to pass the following:-

ORDER

IA. filed under order VII Rule 14(3) r/w sec. 151 of CPC., is hereby allowed. List of documents are taken on file.

No order as to costs.

**Prl., Civil Judge & JMFC.,
Hoskote.**