

ORDER ON I.A.No.VIII

The defendant No.1 has filed I.A.No.VIII U/O VIII Rule 1-A of CPC seeking permission of the court to file the documents as per the list produced along the application by condoning the delay in the interest of justice and equity.

Accompanying the application defendant No.1 has filed an affidavit, defendant No.1 in the said affidavit stated that, the plaintiff filed this suit for declaration and permanent injunction, the above case is posted for defendant evidence, the produced documents are certified copies obtained from the court. The said documents are material and essential documents for the just determination of the case, hence, it is prayed to allow the application.

Upon service of copy of I.A. on the plaintiff, the plaintiff has submitted that I.A. may be allowed

The plaintiff has filed suit for declaration and permanent injunction

against the defendants wherein the defendant No.1 has filed I.A.No.VIII seeking permission to produce documents by condoning the delay.

I have perused the documents placed by the defendant No.1, those documents are certified copies. As per the law the said documents are admissible in evidence. Though the plaintiff has not opposed for the production of the documents. But, it is well settled principle of law that mere production of documents would not suffice their case. And also by keeping the principles laid down in the decision reported in ILR 2004 Kar.924, as the defendants are permitted to the produce the documents as per list. I feel it is just and necessary to allow the application filed by the defendants are deserves to be allowed. Accordingly, this court proceed to pass the following;

ORDER

The I.A.No.VIII filed by the defendant No.1 U/o 8 Rule 1-A of CPC is hereby allowed.

The defendants are permitted to produce the documents as per the list. Accordingly, documents filed along with IA No.VIII received on file.

No order as to cost. For D/E

Call on 20.02.2026

**Addl. Civil Judge & JMFC,
Hosadurga.**