

ORDERS ON IA NO.6 FILED BY THE
PLAINTIFFS UNDER ORDER VII RULE 14(3)
R/w SECTION 151 OF CPC

The present application is filed by the plaintiffs when the matter is set out for further cross examination of PW1. The present application is filed under Order VII rule 14(3) of CPC, seeking leave of this Court to produce the documents as mentioned in the list accompanied to the present application.

2. It is the contention of plaintiffs that the proposed documents are to evidence that the defendant No.2 has executed sale agreement to sell the part of land in suit property despite conversion order of said land is stayed by the Hon'ble Karnataka Appellate Tribunal in Appeal No.537/2020. The said documents are very much necessary to prove the case. If the present application is not allowed, then the plaintiffs will be put to irreparable loss and hardship. On these grounds, the plaintiffs pray for allowing the application.

3. On the other hand, learned counsel for defendants has filed his statement of objections to the present application wherein contended that the application is without proper reasons. The documents produced by the plaintiffs are not genuine. On these grounds the defendants have sought for rejection of the application.

4. Heard both side and also perused the materials available on record.

5. The plaintiffs have filed the present suit for declaration to declare that the registered partition deed dated 20.03.2015 is null and void and for consequential injunction with respect to the suit properties. The present application is filed by the plaintiffs during the stage of further cross-examination of PW1 whereby sought permission to produce the certified copies of registered sale agreement dated 29.11.2025, copy of appeal memorandum of order sheet in Appeal No.537/2020 of the Hon'ble KAT. The contentions of the plaintiffs is that these documents are very much necessary in proof of the suit.

6. On the contrary, the defendants have disputed the genuinity of the documents. It is germane here to rely on the recent decision of Hon'ble Apex Court in the case of **Levaku Pedda Reddamma & Ors. V/s Gottumukkala Venkata Subbamma & Anr., in Civil appeal No.4096/2022 DD: 17.05.2022** wherein it has been held that denying the party in a civil matter to produce additional documents, even if there is considerable delay, results in denial of justice.

7. No doubt that mere production of documents does not constitute proof of such documents as they are required to be proved in the manner known to law. Moreover, the defendants has got every opportunity to cross-examine the PW1 on the point of the present documents. On basis of the above, this Court deems it fit to allow the present application. Hence the following:

ORDER

I.A. No.6 filed by the plaintiffs under Order VII rule 14(3) R/w Section 151 of CPC is hereby allowed.

Plaintiffs are permitted to produce the documents as per list accompanied to the present application.

**Sd/-
(Vishwanath A.)
Pri. Civil Judge & JMFC.,
Mudigere.**