

ORDERS ON I.A.NO.XVII

The present application filed by the defendants under Order XVI Rule 6 of Code of Civil Procedure seeking to issue summons to the Manager, Canara Bank, Mudigere Branch for the production of document mentioned below.

Documents sought to be produced

"Darkasht grant sketch, Saguali chetis, GPA, in enclose of the survey No.78 and 78P of Kelluru Village, Kasaba Hobli, Mudigere Taluk belonging to Dinesh S/o Lakhana Gowda, Kalaiah."

2. The contention raised by the defendants in the said application is that, the defendants have produced the certified copies of saguvali chit, sketch, GPA before this court at the time of the filing of the written statement but the original documents are kept in Canara Bank Mudigere Branch. Hence, the said documents are very much necessary in order to prove their case.

3. On the other hand, learned counsel for plaintiffs submits no objection to the said application.

4. Heard the arguments of both parties.

5. This is the suit for injunction. The present application has been filed by the plaintiff when the matter has been posted for further chief of DW1. On perusal of the application, it prima-faciely shows

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that the defendants have bonafidly requesting the issuance of summons to the Canara Bank without having any intention to drag on the proceedings and on the other hand in the interest of justice and to avoid the multiplicity of proceedings it is necessary to provide an opportunity for the defendants in the above case. Hence this court proceed to pass the following;

ORDER

I.A.No.XVII filed by the defendants U/Order XVI Rule 6 R/w Section 151 of CPC, is hereby allowed.

Issue summons to Manager, Canara Bank, Mudigere to produce the document with respect to the suit schedule property produced by the defendants while availing the loan.

Call on. 25.02.2026

Sd/-

I Addl. Civil Judge & JMFC.,
Mudigere.