

ORDER ON I.A.NO.3 FILED BY THE PLAINTIFFS U/O.

7 RULE 14(3) R/W SEC. 151 OF C.P.C.

I.A. No.3 is filed by the plaintiffs under Order 7 Rule 14(3) r/w sec. 151 of CPC praying to receive the documents.

The defendant No.1 has filed objection to the I.A. contending that the application is false, frivolous, vexatious and not maintainable under law or on facts of the case. The documents produced by the plaintiff are irrelevant and inadmissible in evidence. The application is filed to drag the proceedings. If the application is allowed defendant No.1 will be put to irreparable loss and injury. Hence, it is prayed to dismiss the I.A.

Heard both the sides.

The present suit is filed by the plaintiff for the relief of Declaration and Permanent Injunction and such other reliefs. Now the case is posted for further chief examination of P.W.1. At this stage the plaintiffs have come up with application seeking to receive the documents i.e., the certified copy of sale deed dated 04.08.1989, letter of Coove Gramapanchayath, Opinion

furnished to Coove Gramapanchayath, Demand register, khatha register, letter of Gidda Shetty and Muthu Shetty, Caveat petitions. It is the contention of the plaintiffs that, those documents were misplaced and traced out recently by them and those documents are necessary to prove their case and if the application is not allowed, they will be put to great hardship and injury.

The defendant No.1 contended that the documents are irrelevant and inadmissible. On the perusal of the documents produced by the plaintiffs along with the I.A. it is noticed that the said documents are certified copy of sale deed dated 04.08.1989, letter of Coove Gramapanchayath, Opinion furnished to Coove Gramapanchayath, Demand register, khatha register, letter of Gidda Shetty and Muthu Shetty, Caveat petitions. The contention of the defendant No.1 is that the documents are irrelevant and inadmissible will be considered only after examination of parties and the documents. At this stage the relevancy of the documents cannot be decided. Furthermore, on getting that documents marked through the P.W.1. Then definitely the

defendant No.1 would not be deprived from putting forward her case in respect of that documents by way of cross examination. Again mere production of the documents is not proof of the same by itself. The party producing the same and relying upon the same as to prove the same in accordance with law. In order to avoid the multiplicity of the proceedings. The application filed by the plaintiffs needs to be allowed. Hence I proceed the pass the following.

ORDER

The I.A.No.3 filed by the plaintiffs is allowed. The documents produced along with the I.A.No.3 are taken on file, subject to proof and relevancy.

Call on for further chief examination of P.W.1 by 20.11.2025.

Sd/-

Senior Civil Judge and JMFC.,
Mudigere.