



**IN THE COURT OF THE SENIOR CIVIL JUDGE AND JMFC
AT N.R.PURA, ITENRATE AT KOPPA**

Present: Sri Raghunatha Gowda K.T., B.Com.,L.L.B,
Senior Civil Judge & JMFC., N.R.Pura, Itinerate at Koppa

Dated this the 30th day of July, 2026

O.S. No.10/2021

Plaintiff/s : 1. Mr. K.A. Sathisha,
S/o Late Anne Gowda,
Aged about 51 years,

2. Smt. S.S. Bhavani,
W/o. Mr. K.A. Sathisha,
aged about 50 years,

Both are R/o Karuvane,
Bilagadde Village,
Hariharapura Hobli,
Koppa Taluk.

(By Sri B.K.V., Advocate)

Vs/-

Defendant/s : 1(a) Mr. Nagaraja,
S/o Late K.M. Gopala Gowda,
aged about 48 years,

2. Mr. K.G. Srinivasa,
S/o. Late K.M. Gopala Gowda,
Aged about 42 years,



3. Smt. Prabha,
W/o. K.G. Srinivasa,
Aged about 35 years,

All are Land Holders,
R/o Karuvane Bilagadde Village,
Hariharapura Hobli, Koppa Taluk.

(Defendant No.1(a) to 3 represented by Sri. M.H.S.K.,
Advocate.)

I.A. No.XVIII to XX

Applicants/Plaintiffs : Mr. K.A. Sathisha & another
V/s

Opponent/ Defendants : Smt. Jayamma by her
Lrs., & others

COMMON ORDERS ON I.A. No. XVIII to XX

When the matter posted for arguments at this stage these I.A's No.XVIII to XX are filed by the plaintiff Under Order XVIII Rule 17 R/w. Section 151 of C.P.C. to recall PW1 for further chief examination and Under Order VII Rule 14 of C.P.C. to production of additional documents.

2. It is stated in the affidavits annexed with these applications, plaintiff contended that he filed the suit



against the defendants for relief of declaration, permanent injunction of the suit schedule property. Further he contended that recently he taken the document under Right to Information act in respect of schedule property and some of the documents from the Tahsildar Office, Koppa and the production of the said documents is very much necessary to adjudicate the case and also to recall and reopen the case for further chief of PW1. Hence it is just and necessary to exhibit those documents and the said documents are very much necessary to adjudicate the matter in dispute. It is further stated that if these applications are allowed no loss or injury will be caused to the defendants. Hence sought to allow these applications.

3. Opposing the said applications the defendants counsel has filed common objections contended that the application filed by the plaintiff is not maintainable either in law or facts. Further he contended that when the matter posted for argument at belated stage the plaintiff filed these applications to drag on the proceedings. Hence he prays to reject the said applications.



4. Heard learned counsel for the plaintiff and defendants and perused the materials placed before the court.

5. Now, the points that would arise for my consideration are:

1. Whether the I.A.No. XVIII to XX deserves to be allowed ?
2. What order ?

6. My finding on the aforesaid points for consideration is:

Point No.1 : In the Affirmative.

Point No.2 : As per final order
for the following:

REASONS

7. **Point No.1:** Perused the materials placed before the court and it shows that, when the matter posted for arguments at this stage these applications are filed by the plaintiff to recall him to further chief and production of documents.

8. It is the contention of the plaintiff that at the earlier stage he could not produce the documents and



now the said documents are obtained in the Tahsildar Office and Right to Information Act and hence it is necessary to permit him to produce the documents and lead his evidence on the documents produced. It is also stated that the said documents are very much necessary to prove his case and that he has a very good case on merits.

9. On analysis of the rival contentions of both the parties and considering the facts and circumstances. The plaintiff seeking production of document i.e., notice issued by the Tahsildar, Proceedings, check list, statement and sketch the property belongs to defendant No.2 and in order to prove the same the plaintiff seeking production of document. Further mere marking of the document is not suffice to prove the contents of the said document. Further in order to proper adjudicate of the matter, I am of the opined that, in the event of allowing these applications no hardship will be caused to the defendants and the defendants are avail every right to cross examined the plaintiff on the said documents and in the interest of justice would be sub served if an opportunity is given to the plaintiff to substantiate his



claim. However the inconvenience cause to the defendants can be compensated by imposing suitable costs on the plaintiff. Hence I answer to point No.1 in the affirmative.

10. **Point No.2:** In view of reasoning on point No.1 and I pass the following:

ORDER

I.A. No.XVIII to XX filed by the plaintiff Under Order 18 Rule 17 R/w. Section 151 of C.P.C. and Under Order 7 Rule 14 of C.P.C. are hereby allowed on cost of Rs.100/- each.

The additional documents produced by the plaintiff taken on record.

Case is reopened. PW1 is recalled.

(Dictated to the Stenographer directly on the computer, then corrected and pronounced by me in the open court on this date the 30th day of July, 2026)

Sd/-
(Raghunatha Gowda K.T.)
Senior Civil Judge & JMFC.,
N.R.Pura, Itinerate at Koppa.