

KACN320012582012



IN THE COURT OF THE ADDL. CIVIL JUDGE & JMFC,
AT KOLLEGALA

PRESENT : SRI. M. RANJITH KUMAR B.A,L' L.L.B.
Addl. Civil Judge & JMFC., Kollegala.

Dated on this the 21st day of June 2025

O.S. NO.24/2012

Plaintiff : Sri.Venkatachala @Rajanna

Versus

Defendants : Sri.Thimmadasegowda & others

INTERIM APPLICATION NO -XIII

Applicant/ : Sri.Venkatachala @Rajanna
(Plaintiff)

Versus

Opponents/ : Sri.Thimmadasegowda & others
(Defendants)

ORDER ON IA-XIII

1) The plaintiff has filed the IA No.XIII under Order VII Rule 14(3) R/w Section 151 of Code of Civil Procedure, seeking permission of this court for production of additional documents along with the additional documents.

2) On the other hand the defendant No.3 has filed objection to IA No.III by contending that the IA is not maintainable as the plaintiff has not shown any reason as to why he is filing the present application after the delayed period of 12 years. Accordingly sought for dismissal of the IA.

3) Heard learned counsel for the plaintiff and defendant No.3, perused materials on record, accordingly the following are the points for consideration of this court.

1. Whether the plaintiff has made out ground to allow IA No.XIII?

2. What order ?

4) For the foregoing reasons, this court answers the above points for consideration as hereunder.

Point No.1 – In the Affirmative

Point No.2 – As per final order.

REASONS

5) Point No.1:-

The plaintiff has filed the present IA seeking permission of this court to produce additional documents which are Sale Deed dated 01.01.2011 and 18.06.2010, to which defendant No.3 objects by contending that the plaintiff has filed IA after delayed period of 12 years. In the arguments on the IA has relied on the judgment of the Hon'ble High Court of Karnataka in **Nanjundashetty @N.S.Thallamma & Others Vs. M/S Thallamma Subbarayashetty & sons & others.** In the very same judgment Hon'ble court has held that the court must consider the relevancy documents sought for production rather than reasons for delay in production. The documents which are sought for production are very much relevant to the case on hand as they are related sale transaction with regard to suit schedule-C and the delay in production of documents

may be compensated by imposing adequate cost. Accordingly this court answers the **Point No.1 in the Affirmative.**

6) POINT NO.2: For the reasons stated above this court proceeds to pass the following order.

:- ORDER :-

IA No.XIII filed by the plaintiff under order VII Rule 14(3) R/w Section 151 of Code of Civil Procedure is hereby allowed on the cost of Rs.1000/-.

The documents produced along with IA No.XIII are taken on record.

(Dictated to the stenographer, transcribed and typed by him, the same is corrected, signed and then pronounced by me in the open court on this the 21st day of June 2025).

(M. RANJITH KUMAR)
Addl.Civil Judge & JMFC.,
Kollegala.

