

KACN320022082022



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

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

Dated on this the 03rd day of June-2026

OS No.195/2022

Plaintiff : Sri. Rajendra

Versus

Defendant : Sri. Chandregowda

INTERIM APPLICATION NO -III

Applicant/ : Sri. Rajendra
(Plaintiff)

Versus

Opponents/ : Sri. Chandregowda
(Defendants)

i.	Provision under which the application is filed	Under Order VIII Rule 1(a) of CPC.
ii.	Relief sought for	Seeking permission of this court for production of additional documents
iii.	The date on which the application is filed	07.02.2025
iv.	Number of the application	III
v.	The date on which the objections are filed by the different opponents	06.03.2026
Vi.	The date on which the orders were passed on the said application	03.06.2026

ORDER ON IA-III

1) The defendant has filed the present application under Order VIII Rule 1(a) of Code of Civil Procedure, seeking permission of this court for production of additional documents. The documents sought for production are necessary documents in the present case and the delay caused in filing the present application is not intentional but a bonafide one.

2) In counter to the application of the plaintiff has filed objection contending that, the application filed by the

defendant is not maintainable on the grounds that, the documents sought for production does not concern to the present suit, the defendant has filed present application only in order to protract the proceedings. Accordingly sought for dismissal of the application.

3) Heard both sides, perused materials on record. accordingly the following are the points for consideration of this court.

1. Whether defendant has made out grounds to allow I.A No.III?

2. What order ?

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

Point No.1 – partly In the Affirmative

Point No.2 – As per final order.

REASONS

5) Point No.1:-

The defendant when the case is posted for further chief examination of DW-1 has filed present application, seeking permission of this court for production of additional

documents, countering the same the plaintiff has contended that, the documents sought for production, are not relevant documents to the present suit.

6) On perusal of the materials on record it could be observed that, the defendant along with his documents has produced notice dated 14.06.2022 and a on demand pro-note dated 22.07.2016 and photo copies of on demand pro-note dated 19.07.2019 and 01.08.2016. Firstly the notice and on demand pro-note dated 14.06.2022 are admissible documents in nature and the defendant in his defense has contended to have repaid the loan obtained from the plaintiff and to establish such claim the document sought for production would be relevant documents, but the photocopies of the on demand pro-note are not admissible in evidence, hence it is not prudent to permit the defendant to produce such document and insofar as delay in filing the application is concerned this court is of the opinion that, in the interest of justice and equity, the defendant may be allowed to furnish

additional documents by imposing adequate cost. Accordingly this court answers Point No.1 partly in the Affirmative.

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

-. ORDER:-

IA No-III filed by the defendant under Order VIII Rule 1(a) of Code of Civil Procedure is hereby allowed in Part.

Consequently, notice dated 14.06.2022 and on demand pro-note dated 22.07.2016 filed along with I.A No.3 are taken on record.

(Typed by me in my personal laptop and the same is corrected, signed and then pronounced by me in the open court on this the 03rd day of June 2026).

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