

ORDER ON I.A. NO. V

The Present application is filed, when the matter was posted for further chief of PW.1.

2. This IA No.V is filed by the plaintiff U/O XIII Rule 1 r/w Sec. 151 of CPC to permit the plaintiff to produce the listed documents.

3. In the accompanying affidavit , it is stated by the plaintiff that, plaintiff has produced several documents relating to the reservation of land for defendant No.1 school, suit road way and for Anganavady center. The defendant No. 1 is a party and beneficiary in that proceeding and fully aware of such all proceeding. The defendant No.1 secured the decree by suppressing its own records and now disputed by the very same beneficiary. The defendants denied the grant/ reservation for road, the annexed C.C. of documents secured recently are very much required to decide the suit on merit. Hence, the plaintiff prayed to allow the application.

3. On the other hand, the defendant No. 3 submits his no objection to IA No. V and defendant No.1 filed the objection, stating that, only to drag the proceedings present IA is filed by the plaintiff. The documents produced are not essential to prove the case of plaintiff. Hence, the defendant prayed to dismiss the application.

4. I have heard arguments by both sides.

5. On perusal of records it reveals that, when the case is posted for further chief of Pw.1, plaintiff had filed an application seeking permission to produce the documents. The defendant opposed the application. It is the general principle that wide opportunity should be given to the parties to prove their contention in the trial court. Hence, I am of the opinion that , if the plaintiff is permitted to produce the documents, no hardship will be caused to the defendants. To avoid the multiplicity of proceedings, this court inclined to allow the application filed by the plaintiff . Hence, in view of my above discussion , I proceed to pass following:

ORDER

I.A.No. V filed by the plaintiff is hereby allowed.

The documents filed along with the IA No.V are taken on record.

Call on for further evidence o f PW.1 by
12.09.2024

(ARPITHA)

Civil Judge & J.M.F.C, Sullia.