

**IN THE COURT OF IV ADDL. SENIOR CIVIL JUDGE
AND J.M.F.C., DHARWAD.**

PRESENT: SRI.RANGASWAMY J,
B.A.L., LL.M.,
IV Addl.Sr.Civil Judge & J.M.F.C., Dharwad.

RA No.46/2023

Dated : 9th day of July 2026

Plaintiff/s : Siddappa S/o Allappa Hebbal.

V/s.

Defendant/s: Nagappa S/o Kalakappa Arehunasi & Others.

PARTIES TO IA NO.IV

Applicant/s : Siddappa S/o Allappa Hebbal.
(Org.Plff)

V/s.

Opponent/s: Nagappa S/o Kalakappa Arehunasi & Others.
(Ori.Res)

ORDER ON IA NO.IV

Said application is filed by the appellant under Order XVI Rule 6 R/w Section 151 of CPC to summon the documents from the respondent No.2 and 3 relating to Hakku Patra.

2. Affidavit is filed in support of the application stating that, appellant is purchaser of property from legal representative of Basappa. Respondents No.2 and 3 have issued Hakku Patra to Basappa. To ascertain the truth relating to dispute between the parties, those documents are very essential for effective adjudication of the appeal. Hence prays to allow the application.

3. Learned counsel for the respondent No.1 has filed objection to the application stating that, said application is filed only with an intention to drag the proceedings. Before the Trial Court Ex.P3 and Ex.D9 Hakku Patra are already been produced. Hence prays to dismiss the application.

4. I have perused the material available on record.

5. Now the following points arise for my consideration.

1) Whether the application filed by the appellant deserves to be allowed ?

2) What order ?

6. My answers to the above points as under.

Point No.1 – Negative.

**Point No.2 – As per final order,
for the following:-**

REASONS

7. **Point No.1:-** Said application is filed to summon the documents relating to Hakku Patra from the respondent No.2 and 3. Admittedly Hakku Patra are produced as per Ex.P3 and Ex.D9. In the said application it is not clearly mentioned that what other document has to be summoned. On going application, it reveals that appellant has not made any endeavor to get those documents from office itself. If at all the appellant wants to get document relating Hakku Patra, he may approach concerned office and obtain the same. Therefore the application does not survive for consideration. Hence I answer point No.1 “**in negative**”.

8. **Point No.2:-** For the reasons stated while discussing point No.1 I proceed to pass the following:-

ORDER

**The I.A.No.IV filed under Order XVI Rule 6
R/w Section 151 of CPC by the appellant is
hereby rejected.**

(Dictated to stenographer, typed by her, corrected and then pronounced by me in the open court on 9th day of July
2026)

(Rangaswamy J)
IV Addl. Senior Civil Judge
& JMFC., Dharwad.

For order
09-07-2026

(Order pronounced in the open Court vide separate order)

ORDER

***The I.A.No.IV filed under Order XVI Rule 6
R/w Section 151 of CPC by the appellant is
hereby rejected.***

(Rangaswamy J)
IV Addl. Senior Civil Judge,
& J.M.F.C., DHARWAD.