

KAHV210005502020



1

O.S.No.169/2020

**IN THE COURT OF THE CIVIL JUDGE AND
JMFC, AT: BYADGI**

Present: **Sri Suresh Wagganavar, MA. LL.B., (Spl)**
Civil Judge & JMFC, Byadgi

Dated this the 01st day of April, 2024

Original Suit No.169/2020

Uliveppa S/o Channabasappa Bannihatti
R/o: Masanagi, Tq: Byadgi, Dist: Haveri.

(By Sri.N.S.B., Advocate)

.....Plaintiff/s:

V/S

Channappa S/o Shivamurteppa Negalur
R/o: Masanagi, Tq: Byadgi, Dist: Haveri.

(By Sri.R.C.S.,Advocate)

.... Defendant/s:

PARTIES TO THE IA No.IV

Uliveppa S/o Channabasappa Bannihatti
R/o: Masanagi, Tq: Byadgi, Dist: Haveri.

.... Applicant/Plaintiff



VS

Channappa S/o Shivamurteppa Negalur
R/o: Masanagi, Tq: Byadgi, Dist: Haveri.

.... Opponent/Defendant

ORDERS ON I.A.No.IV

This IA.No.IV is filed by the plaintiff under order 7 Rule 14(2), R/w Section 151 of CPC, seeking permission to production of documents in the interest of justice & equity.

2. In the affidavit the plaintiff has stated that, the plaintiff has intending to produced notice issued by Surveyor, Statement and other documents before this Court. The above said documents are concerning to this suit. The production of documents is very necessary to prove the case of the plaintiff.

3. Per contra the defendant has filed to the IA.No.IV wherein it is contended that the application is false and not maintainable. The plaintiff has not stated on what reason the



documents are produced at the time of filing of the suit. The application filed by the plaintiff is not maintainable at this stage. Hence, prays to dismiss the application.

4. Heard, the point that would arise for my consideration is;

1. Whether plaintiff has made out sufficient ground to allow the application?

2. What order?

5. My answer is in the Affirmative for the following;

// R E A S O N S //

6. Point No.1:- The whole facts of the IA is already narrated at the inception of this order. Therefore, repetition of the same avoided here.

The plaintiff has filed this suit for possession against the defendant. The plaintiff has produced certified copy of notice, statement and other records. The above said documents are concerning to the suit property. The plaintiff is every right to produced documents and lead evidence to prove the case. The defendant has right to cross examine the



plaintiff on documents. Hence, in view of above said discussion, I answer the above **Point No.1 in the Affirmative.**

7. Point No.2:- Hence, for the aforesaid reasons, I proceed to pass the following;

//O R D E R//

I.A.No.IV filed by the plaintiff U/o.7 Rule 14(2), R/w Section 151 of CPC, is hereby allowed.

(Dictated to the Stenographer directly on computer typed by her, corrected, and then pronounced by me in the open court on this the **01st day April, 2024**)

**(Suresh Wagganavar)
Civil Judge & JMFC,
Byadgi.**