

**ORDER ON IA FILED UNDER ORDER
VII RULE 14(3) OF CPC BY THE
PLAINTIFF.**

This is an application filed by the plaintiff under order VII Rule 14(3) of CPC, to permit him for production of documents by condoning the delay in filing the application in the interest of justice and equity.

2. In the affidavit it is stated that at the time of filing of the suit the plaintiff has not produced certified copy of Form No.13 and original death certificate of Heerabai and Hanamantraya and even he pleaded about family debts of various dates and copies of documents executed by the plaintiff in favour of those creditors are produced the documents annexed

with list of documents are most relevant for the purpose of disposal of the suit on merits and in order to avoid the multiplicity of proceedings and subject to admissibility of proof of the said documents, he may be permit to produce the said documents by condoning the delay if any. Hence, sought for allow the application.

3. On the other hand, the counsel for the defendant No.4 files detailed objection contending that the proposed documents are produced by the plaintiff are created and fabricated and no pleadings of the plaintiff in the plaint regarding the alleged loan and even the plaintiff in order to deprive the right of the defendants in the suit schedule property had created and fabricated false documents and cooked up story and there is no sufficient and proper grounds made out by the plaintiff to allow his application. On these grounds prayed for dismissal of application with costs.

4. Heard arguments on both side.

5. On the above pleadings, the following point that arise for my consideration

1) Whether the plaintiff has made out sufficient grounds to allow the application?

2)) *What order ?*

6. My answer to the above points are as follows:

Point No.1 : In the Affirmative

Point No.2 : As per order below for the following :

REASONS

7. **Point No.1** : It is pertinent to note that the plaintiff has filed this suit for partition and separate possession against the defendants with respect to the suit schedule property and other relief.

8. When the matter was posted for further chief of PW1, he come up with present application to condone the delay if any in production of documents. On meticulously perusal of the documents produced by the plaintiff and objection filed by the defendant No.4, it is clearly goes to show that the plaintiff has produced the documents like assessment extract, death certificate and other un-registered documents named as Kararu Patra on different dates and those namely Kararu Patra which are un-registered documents and the defendant No.4 cannot be restricted by the plaintiff for production of those documents, but he can

object for marking of those documents which are un-registered one. Moreover, the said un-registered documents can be received by this court, after payment of insufficient duty and penalty and with regard to other documents are certified copies which are public documents and those can be marked and permit the plaintiff for production of the same by imposing reasonable costs with him and to condone the delay. Hence, in the light of above discussion and reason assigned by me, the plaintiff has made out reasonable grounds to allow his application. Accordingly, I answer point No.1 in the Affirmative.

9. **Point No.2:-** For the above said reasons, I proceed to pass the following;

ORDER

Interim Application filed by the the plaintiff under order VII Rule 14(3) of CPC dated 31.07.2024 is hereby allowed on costs of Rs.300/-.

The plaintiff is permitted to produce the documents annexed

with list subject to proof and relevancy.

(Dictated to the Stenographer, computerized by him, script corrected, signed and then pronounced in the open court on this the 16th day of October-2024.)

Senior Civil Judge,
Aland.