

**Order on IA No.VI filed under Order 16 Rule 1(2) of
Civil Procedure Code.**

1. The respondent No.2 filed interim application under Order 16 Rule 1(2) CPC praying to issue summons to CMO Gandhi Medical College and Hospital Bidar to produce the entire case file, MLC and Register of petitioner Ragnath S/o Laxman he is taken the treatment in your hospital on 09-08-2018 to 21-08-2018 and IP No.49167 and MLC No.51073 and give evidence in the interest of justice and equity.

2. In the memo of facts it is stated that as per the claim petition, the petitioner sustained injuries on 08-08-2018 but case is registered on 11-08-2018. The petitioner has not produced MLC in this case. Hence the respondent sought for summoning the to CMO Gandhi Medical College and Hospital Bidar to produce the entire case file, MLC and Register of petitioner Ragnath S/o Laxman he is taken the treatment in your hospital on 09-08-2018 to 21-08-2018 and IP No.49167 and MLC No.51073 and give evidence. Hence the respondent prayed to allow the interim applications.

3. Learned counsel for the petitioner filed objections stating that in the wound certificate the MLC Number and date is clearly mentioned and

therefore there is no necessity of allowing the application. Hence prayed to reject the application.

4. Heard and perused the materials on record.

5. The petitioner has filed this petition seeking compensation for the injuries caused to him in the accident. The specific contention of the respondent No.2 is that as per the claim petition, the petitioner sustained injuries on 08-08-2018 but case is registered on 11-08-2018. The petitioner has not produced MLC in this case. On Perusal of entire materials on record, it shows that it is necessary to give opportunity to the respondent No.2 to adduce his additional evidence in support of his defense. Therefore in the interest of justice and equity the interim application is necessary to be allowed. I proceed to pass the following:

: ORDER :

The interim application filed by the respondent No.2 under Order 16 Rule 1(2) is hereby allowed.

Issue witness summons to CMO Gandhi Medical College and Hospital Bidar to produce the entire case file, MLC and Register of petitioner by name Ragunath S/o Laxman for

the period from 09-08-2018 to 21-08-2018 and
IP No.49167 and MLC No.51073 and give
evidence.

Call on:29-11-2024.

**Senior Civil Judge & JMFC.,
Chincholi.**