

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

The respondent No.2 filed interim application under Order 16 Rule 1(2) CPC praying to issue summons to Dr. Kammareddy Hospital Kalaburagi to produce the entire case file, MLC and Register of petitioner Rakesh S/o Hera sing he is taken the treatment in your hospital on 22-01-2021 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 21-01-2022 but case is registered on 23-01-2022. The petitioner has not produced MLC in this case. Hence the respondent sought for summoning the Hospital Hospital Bidar to produce the entire case file, MLC and Register of petitioner 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 is not necessary for this case 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 on 21-01-2022 but case is registered on 23-01-2022. 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 Dr. Kammareddy Hospital Kalaburagi to produce the entire case file, MLC and Register of petitioner Rakesh S/o Herasing he is taken the treatment in your hospital on 22-01-2021 and give evidence.

Call on:07-02-2025.

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