

IN THE COURT OF THE SENIOR CIVIL JUDGE SEDAM

PRESENT: SRI. VIJAYKUMAR S. JATLA

**B.Sc., LL.B.
Senior Civil Judge, Sedam**

DATED THIS THE 11th DAY OF NOVEMBER-2020.

O.S.No.79/2018

Plaintiff : Eshawamma and others.

Versus

Defendants : Chennamma and others.

Orders on I.A.No-VII U/o 8 Rule 1(3) R/W Sec.151 of CPC filed by defendants

This is an interlocutory application is filed by the defendants for production of documents as shown in the list of documents.

2. Advocate for defendants contended that defendants filing certified copy of endorsement issued by panchayat Adki and also filing certified copy of ROR of land Sy. No.154 of Adki. That these documents are obtained recently. Therefore these documents are not filed on earlier date of hearing. That these documents are public documents and there is no doubt about correctness. These documents are very important to prove the case. Further contended that no prejudice will cause to the other side if the application is

allowed, on the other hand defendants will be put greater hardship and injury.

3. Advocate for plaintiff orally objected the application and sought for dismissal of the application.

4. On the basis of the above pleadings and on hearing both sides, the following points arise for my consideration.

- 1) Whether the defendants have made out grounds to allow I.A.No.VII?
- 2) What order?

5. My findings on the above points are as under:

Point No:1 : In the Affirmative.

Point No.4: As per final order for the following:

REASONS

6. **Point No.1:-** The case of the plaintiff and defendants as discussed above. This is a suit for partition and separate possession in respect of suit schedule properties against the defendants. This application is filed by defendants for production of documents as per I.A.No.VII when the matter is posted for cross examination of PW-1.

7. Advocate for defendants contended the documents sought to be produce are essential for proper adjudication of the matter and they are public documents hence, there is no doubt about their

correctness. Further submitted that the documents obtained recently and produced. Hence, prayed for production of the same.

8. Per contra Advocate for plaintiff contended that the documents which produced by the defendants are not relevant to the case in hand. Further contended there are no sufficient reasons and materials to allow the application. Hence sought for rejection of the application.

9. After hearing the matter it is admitted fact that the plaintiff filed the present suit for partition and separate possession in respect of suit schedule properties. The documents which are produced are public documents and are very much essential for proper adjudication of the matter in dispute, hence they are relevant to the case in hand. The defendants made out grounds to allow I.A.No.VII as prayed for. In the light of above reasons I answer Point No.1 in the Affirmative.

10. Point No.2:- As I have answered point No. 1 in the Affirmative for the foregoing reasons, I proceed to pass the following:

ORDER

IA-VII Under order 8 Rule 1(3) R/W Section
151 of CPC filed by the defendants is allowed.

Further documents along with list
documents of defendants taken on record.

(Dictated to the Stenographer directly on computer and corrected by him and then pronounced by me, in the open Court on this the **11th day of November-2020**, at Sedam)

Senior Civil Judge,
Sedam.

**(Order Pronounced in the open court
vide separate order)**

IA-VI Under order 6 Rule 17 filed by the defendants is allowed.

IA-VII Under order 8 Rule 1(3) R/W Section 151 of CPC filed by the defendants is allowed.

Further documents along with list documents of defendants are taken on record.

For amendment and amended written statement call on.18.11.2020

Senior Civil Judge,
Sedam.