

KAMS710002952011



IN THE COURT OF I ADDITIONAL CIVIL JUDGE AND
JMFC AT T.NARASIPURA

Dated this the 30th day of October 2025

Present: **Smt. Niveditha N., B.A.L., LL.B, LL.M.,**
I Additional Civil Judge & JMFC., T.Narasipura.

O.S./226/2011

Applicant : Mahadeva and Others

..... plaintiffs

V/s

Opponent : Smt.Chinnamma and Others

..... defendants

i.	Provision under which the application is filed	Order 16 Rule 6 and 7 of CPC
ii.	Relief sought for	Directing to produce documents
iii.	The date on which the application is filed	12/06/2023

iv.	Number of the application	IA No.8
V.	The date on which the objections are filed by different opponents	24/08/2023
vi.	The date on which the orders were passed on the said application	30/10/2025

Order on IA No.8 filed by plaintiff No.3 Under Order 16 Rule 6 and 7 of CPC

The plaintiff No.3 has filed the above application seeking to direct defendant No.9 to produce documents.

Documents to be sought for:

“All the relevant documents pertaining to the alleged acquisition proceedings to acquire the ‘B’ schedule property bearing Sy.No.10/4, measuring 0.23 guntas”.

2. In the accompanying affidavit the plaintiff No.3 has narrated the plaint averments and further stated that, the defendant No.9 examined as D.W.1 and Ex.D1 to 4 has been marked. But, the defendants No.9 to 11 have not produced any documents relating to the alleged acquisition of land bearing

Sy.No.10/4 measuring 0.23 guntas. Hence they are relevant and required documents. Hence, prays to allow the application.

3. On the other hand, the defendant No.9 has filed an objections to the above application and contended that in the present case the evidence of defendant No.9 has been completed and the case was posted for arguments. He has filed written statement. In the written statement and RTC, he has stated about acquisition of B schedule property. The plaintiffs have to approach concerned authorities for the documents sought in the application. Hence, prays to dismiss the above application.

4. Heard the argument of counsel for both parties.

5. The following points are arise for my consideration:

1) Whether the plaintiff No.3 has made out sufficient grounds to allow IA.?

2. What Order?

6. Perused the documents available on record.

7. My answer to above points are as under:

Point No.1 : In the Affirmative

Point No.2 : As per final order, for the following:

REASONS

8. Point No.1: The plaintiffs have filed the suit seeking for the reliefs of declaration and mandatory injunction in respect of the suit schedule properties. The defendant No.9 has filed the written statement. When the matter is posted for arguments on main matter, the plaintiff No.3 has filed the present application seeking to direct the defendant No.9 to produce the documents sought in the application. The defendant No.9 has filed objection.

9. On perusal of the documents available on record it appears that, the plaintiffs in the plaint have pleaded that without the knowledge and consent of the plaintiffs, B schedule property was acquired and they have approached the revenue authorities to produce relevant documents for acquisition of B schedule property. But, the revenue authorities have not produced the documents. The defendant No.9 in his objection has stated that as per RTC B schedule property was acquired.

10. The documents produced by the parties discloses that there is an acquisition of B schedule property by Karnataka Irrigation Department measuring 6 guntas and property measuring 1 acre 21 guntas is not shown for which purpose it

was acquired. Therefore, the defendant No.9 is the custodian of the revenue documents pertaining to the suit property. In the absence of the documents pertaining to the acquisition of B schedule property, it is difficult to the parties to prove their case. Therefore, in order to render justice to the parties, it is just and necessary to direct the defendant No.9 to produce relevant documents pertaining to acquisition proceedings of B schedule property. Therefore, in view of the above reasons, the application is liable to be allowed. Accordingly, this Court proceeds to pass the following;

ORDER

IA No.8 filed by the plaintiff No.3 under Order 16 Rule 6 and 7 of CPC is hereby allowed with cost.

Direct the defendant No.9 to produce relevant documents pertaining to acquisition proceedings of B schedule property.

[Dictated to the Stenographer, transcribed by her and corrected by me and pronounced in the Open Court on 30th day of October 2025]

**I Addl.Civil Judge & JMFC.,
T.Narasipura.**

(Order pronounced in open court vide separate order)

ORDER

IA No.8 filed by the plaintiff No.3 under Order 16 Rule 6 and 7 of CPC is hereby allowed with cost.

Direct the defendant No.9 to produce relevant documents pertaining to acquisition proceedings of B schedule property.

**I Addl.Civil Judge & JMFC.,
T.Narasipura.**