

ORDERS ON APPLICATION FILED BY
THE PLAINTIFF UNDER ORDER 7 RULE
14(3) OF C.P.C

During the stage of further chief of P.W.1, the plaintiff has filed this application seeking to produce document described in the accompanying list of document to adduce the same in evidence.

2. In the affidavit accompanying the said application sworn in by the plaintiff it is submitted that, he has filed a suit against the defendants for the relief of Permanent Injunction, wherein he intends to produce electricity connection application, payment receipts in respect of the suit schedule property which are not produced at the time of filing the suit. The said documents are very much necessary to prove his case. As such, prays to allow the application.

3. Per contra the defendant has filed objection resisting the said application and contended that, production of said documents are irrelevant and not

maintainable. Further contended that, the said documents are neither primary nor secondary documents and the same has obtained under Right to Information Act. It is further contended that, the plaintiff rather than producing the said document ought to have call for records from the concerned authorities. The document sought to be produce are not admissible in evidence, as they are true copies issued by the third party. Further contended that, the said documents have been concocted and created for the purpose of this case by colluding with the third person. Hence, prayed to dismiss the application.

4. Heard both counsels on the said application. I have perused the records of the case on hand, carefully and meticulously.

5. Admittedly, the documents sought to be produced by the plaintiff pertains to electricity connection and payment of receipt obtained under the provisions of Right to Information Act. The document must be either primary or secondary, but

it cannot be said that they are neither primary nor secondary as contended by the defendant. The documents have been obtained by the plaintiff from the competent authority i.e., public authority and the documents are in domain of the public office. Further the relevance of the said documents cannot be decided at this juncture. Since the alleged documents pertaining to the suit schedule property the same has bearing on the case. Moreover, the defendant has every liberty to cross-examine the witness on the said documents. As such, no prejudice would be caused to the defendant if the said application is allowed. Considering the facts and circumstances of the case this court is of the view to allow the present application. Accordingly, I proceed to pass the following ;

ORDER

The application filed by the plaintiff under Order 7 Rule 14(3) of C.P.C is hereby allowed.

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

Call on for further chief of P.W.1
finally by : 20.06.2023.

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