

14.12.2021

Order on I.A.No.XVI

1. That, the petitioner / plaintiff filed the application under Order VII Rule 14 (3) R/w Section 151 of Code of Civil Procedure, with a prayer permit him to produce before this Court the following documents:-

- (1) Details of GST of defendant No.9 obtained from web site,
- (2) Receipt No.413, issued by the defendant No.9 in the name of the plaintiff.

2. That, the plaintiff has contended that to substantiate his case it is very much necessary for him to produce the said documents.

3. That, refuting all contentions of the plaintiff, the defendant No.9 filed his objections and has contended that the alleged documents are no way concerned to present case and he has already submitted his written statement and taken a specific contention that the entire plaint averments do not disclose any allegation or claim against him, hence, the suit is bad for non-joinder of necessary party and he has been wrongly sued. That, the

defendant No.9 in view of his all aforesaid contentions has prayed for rejecting the said application.

4. That, I have heard the arguments and perused the materials placed on record. That, the following points arise for My consideration and determination :-

1. Whether the plaintiff has made out the grounds for allowing his said application as prayed for?

2. What order?

5. That, My findings on the said points are as under:-

Point No.1 :- In the AFFIRMATIVE

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

REASONS

6. **Point No.1**:- That, the plaintiff has contended that it is very much necessary for him to produce the alleged documents and whereas, the defendant No.9 has denied the said contentions of the plaintiff.

7. It is pertinent to note here that, mere producing the document is not enough. That, any party is intending to produce any document then the burden lies upon to him to prove the contents of the same. That, if the plaintiff is permitted to produce the alleged documents then, no prejudice would be caused to other side. Hence,

without much discussion, point No.1 is answered in the **AFFIRMATIVE.**

8. **Point No.2:-** That, as discussed on point No.1, I proceed to pass the following :-

ORDER

That, the application filed by the plaintiff under Order VII Rule 14 (3) R/w Section 151 of Code of Civil Procedure, is hereby allowed.

That, no orders as to cost.

That, the plaintiff is permitted to produce the alleged documents.

That, for defendant No.2 evidence by 23.12.2021.

(Directly dictated to the Stenographer on Computer, typed by him, corrected by me and then pronounced in the open Court on this the 14th day of December 2021).

(Smt. Hema Pastapur)
I Addl. Senior Civil Judge and JMFC,
Raichur.