

ORDER ON IA-I .

1. That, the plaintiffs have filed an application U/o 13 rule 10 R/w sec 151 of CPC with a prayer to call for the records of OS.No.61/2009 from the files of the Hon'ble Ist Addl.Civil Judge (Jr.Dn) Raichur. That the plaintiff No.1. in his affidavit has contended that, as per the orders of the Hon'ble High court of karnataka, Kalburgi bench, on the technical ground of pecuniary jurisdiction the matter the presented in this case. That the plaintiff No.1 has further contended that, the Hon'ble Ist ACJ CJ Raichur though returned the plaint alongwith WS but retained the original documents and depositions etc and the said documents are very much essential for disposal of the case.
2. That, the learned counsl for the defendants No.1 and 2 has orally objected the said application defendant No.3. has not filed objections to said the application.
3. That I have heard the arguments and perused the materials pleled on record. That the plaintiffs have specifically contended that the ofersaid documents are very much necessary for the adjudication of the present matter. It is significant to note here that, as per the provisions of order 13 rule 10 (1) of CPC this court has got discretemary power of call for the records from Hon'ble 1st ACJ (Jr.Dn) Raichur. That for proper adjudiction of the matter it is very much necessary to call for the records of the file pertaining of OS

No.61/09. Inview of the same, the said application is deserves to be allowed. Inview of it , I proceed to pass the following.

ORDER.

That, the application filed by the plaintiffs u/o 13 rule 10 r/w sec 151 of CPC, is hereby allowed.

That , the office is to call from the Hon'ble 1st Addl.Civil Judge (Jr.Dn), Raichur, the original documents produced by both the parties, depositions and other documents.

Returnable by: 26-06-2019.

dt: 14-6-19

(Hema Pastapur)
II Addl.Sr.CJ & JMFC Raichur.