

IN THE COURT OF PRL. CIVIL JUDGE AND JMFC, PAVAGADA

Dated this the 6th day of September, 2025

O.S.No.6/2000

Petitioner : Smt.Obamma
D/o Late Obaiah and
W/o Sanna Varadappa,
Aged about 52 years,

(By Sri.R.V Advocate)

V/S

Respondents : Sanna Hanumappa
S/o Late Obaiah
Aged about 59 years and another

(Defendant No.1 by Sri.P.R, Adv)

(Defendant No.2 by Sri.B.M.R, Adv)

**ORDERS ON I.A.NO.4 UNDER ORDER
7 RULE 14 OF CPC**

The counsel for the plaintiff has filed IA No.4 under Order 7 Rule 14 of CPC for seeking permission to produce documents mentioned in the list in the interest of justice and equity.

2. In the affidavit plaintiff has stated that, the present application has been filed seeking permission to produced some document with delay and to mark the documents and the

documents are necessary document to prove her case and in the absence of documents, the effective decree cannot be passed her and delay in production of documents is not intentional and the same is bonafide, and if the application is allowed, no harm would be caused to the defendants and the said document is very much necessary to answer all the questions in controversy between the parties and hence prays to allow the application.

3. The counsel for defendants orally objected to the application and prays to reject the application.

4. Heard the arguments.

5. On careful perusal of the affidavit, the plaintiff contends that she produced some documents and the documents are necessary document to prove her case and in the absence of documents, the effective decree cannot be passed her and also necessary to decide all questions in controversy between the parties. Per-contra the

defendants counsel has orally objected and prays to reject the application.

6. It is pertinent to note that mere allowing the plaintiff to produce the document and to get the same marked does not imply that the proof of the document is dispensed with. The plaintiff would still be duty bound to prove the said document and her contents. Moreover the defendants will be obviously given an opportunity to cross-examine the plaintiff on the said document. This Court at this stage cannot decide as to whether the document being produced are relevant to the suit or not and if the document is not relevant, it will not be considered at the time of judgment, but however, a mini trial cannot be held to see whether the document sought to be produced are relevant or not to this case. Therefore, under the circumstances the oral objection of the defendants is without merits and the plaintiff has to be given an opportunity to produce all her documentary evidence upon which she

submit to relay otherwise it may lead to multiplicity of proceedings and for the purpose of full and final adjudication of the case. Hence, I proceed to pass the following;

ORDER

The IA No.4 filed by the plaintiff is hereby allowed.

The documents produced by the plaintiff is taken on record.

For further chief of PW.1.

Call on : 25.10.2025.

C/c Prl. Civil Judge and JMFC,
Pavagada