

**ORDER ON OBJECTION RAISED BY THE
DEFENDANT FOR MARKING THE DOCUMENTS**

The plaintiff has produced the deed of lease for the year 2008, 2009 and 2011 executed by the plaintiff in favour of defendant in respect of suit schedule premises. Further plaintiff has produced lease deed for the year 2001, 2002 and 2003 in respect of suit schedule premises executed by the plaintiff in favour of Abdul Kadir Irshad Damudi and one Rafia Abdul Nasir Ruknuddin Shipai. At the time of marking the above

documents learned counsel for the defendant has raised the objection that the documents produced by the plaintiff should be marked subject to objection stating that the documents produced by the plaintiff are created and unregistered.

On the contrary, learned counsel for the plaintiff has submitted that, in the written statement the defendant has seriously disputed the land lord and tenant relationship. Hence in order to clarify the doubts arising out of written statement filed by the defendant, the documents produced by the plaintiff are necessary and the said documents are not the suit documents and are produced for collateral purpose. Hence counsel for plaintiff prays to mark the said documents.

I have perused the documents produced by the plaintiff and also heard the argument canvassed by both counsel. It is relevant to note that, the defendant in his written statement at para No.IV has denied the land lord and tenant relationship. Further plaintiff has not sought any relief on the documents produced by him and the said documents are only for collateral purpose to show the existence of land lord and tenant relationship. The documents produced by the plaintiff are very much important documents to decide the real controversy involved between the parties in the suit. If the defendant is having any doubt regarding the genuiness of document he is every liberty to test the authenticity of the documents during the course of cross examination and therefore question of marking the said documents subject to objection does not arise. Hence I, proceed to pass the following:

ORDER

The plaintiff is permitted to get marked the documents produced by him.

Call for further chief of P.W.1 by 23/09/2019.

Sd/-

Addl. Civil Judge, Bhatkal.

