

Plaintiff counsel has filed IA No.VII and VIII praying to permit the plaintiff to produced the documents and to reopen the evidence of plaintiff(PW1) to give evidence on the produced photographs.

The counsel for the defendants has filed objection and denied the averments made in the affidavits annexed to the above applications. The photographs are created through electronic process and same is not relating to the suit property and prays to dismiss the applications.

Heard both side arguments on applications.

Perused the records.

The suit filed for permanent injunction against the defendants with respect to the schedule property mentioned in the plaint. The plaintiff has every burden to prove his case. Hence, it is necessary to give the plaintiff sufficient opportunity to prove his case. However, the defendants have every opportunity for cross-examination of the documents produced by the plaintiff. If the applications are allowed no hardship will cause to the defendants. However, for causing delay costs has to be imposed on the plaintiff. Accordingly, I proceed to pass following:

ORDER

The IA No.VII and VIII are allowed on cost of Rs.200/-

The documents produced along with I.A No.VII is taken on record.

The PW1 is recalled for the purpose of further chief-examination.

Call on 28-01-2026.

Sd/-

Addl. Civil Judge & JMFC., Bhatkal.