

KAUK510004322024



Presented on : 26-03-2024

Registered on : 26-03-2024

Decided on : 14-08-2025

**IN THE COURT OF CIVIL JUDGE & JMFC, HALIYAL**  
**AT: HALIYAL, UTTARA KANNADA**

**Dated this 14<sup>th</sup> day of August, 2025**

**PRESENT**

**Smt. Geeta.** B.A.LL.B (Hon's) LL.M.,  
Civil Judge and JMFC, Haliyal

**ORIGINAL SUIT NO.50/2024**

**BETWEEN:**

1. Shri. Subbarao S/o Durgani Karanjekar,  
Age: 60 years, Occ: Agriculture,  
R/o : Malvad, Tq: Haliyal,  
Dist: Uttar Kannada.

**.....Plaintiff**

**(By Sri. M.R.M., Adv.,)**

**AND:**

1. Shri. Narayan S/o Durgani Karanjekar,  
Age: 65 years, Occ: Agriculture,  
R/o. Mangalawad, Tq: Haliyal,  
Dist: Uttar Kannada and others.

**....Defendants**

**(By Miss.U.A.M/Smt. R.M.K., Advs.,)**

**I.A.No.III**

**Applicant/Pliff :Sri. Subbarao S/o Durgani Karanjekar.**

**-Vs.-**

**Opponents/Defts: Sri. Narayan S/o Durgani Karanjekar  
and others.**

**ORDER ON I.A.NO.III**

The plaintiff filed I.A No.III under Order VII Rule 14(3) R/w Section 151 of C.P.C., praying to permit him to produce the documents in the interest of justice and equity.

2. In the affidavit, the plaintiff stated that, he has filed this suit for the relief of declaration, partition and separate possession and now he is submitting one important document relating to Schedule-B property as it relates to defendant no.1 and 14. The said documents are created without the knowledge of the plaintiff illegally colluding with Gram Panchayat offices. Hence, the plaintiff prayed to allow the application and permit him to produce the documents.

3. In spite of sufficient opportunity, the defendants not filed objections to the application, hence, the objections is taken as not filed.

4. Heard plaintiff's counsel and perused the records.

5. Now the points that arise for consideration are as under;

**1. Whether plaintiff has made out grounds to permit him to produce the documents?**

**2. What order?**

6. Answers on the above points are as under;

**Point No.1 : In the Affirmative**

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

### **REASONS**

7. **POINT NO.1:-** The plaintiff filed this suit for the relief of declaration, partition and separate possession. Now he is intending to produce some documents in support of his case. In order to provide fair opportunity to the plaintiff to prove his contentions. He has to be permitted to produce documents by condoning the delay. Moreover, the defendants not filed objections to the application. Under these circumstances, there is no impediment to allow the application and permit the plaintiff to produce the documents. Hence, **I answer Point No.1 in the Affirmative.**

8. **POINT NO.2 :-** In view of discussion on Point No.1 and for the reasons stated therein, I proceed to pass the following;

### **ORDER**

**I.A.No.III filed by the plaintiff  
under Order VII Rule 14(3) R/w**

**Section 151 of C.P.C., is hereby  
allowed.**

**The documents produced by the  
plaintiff are taken on record.**

**No order as to costs.**

(Dictated to the Stenographer, transcribed and typed by her, then corrected, signed and pronounced by me in the Open Court on this the **14<sup>th</sup> day of August, 2025**)

**Sd/-  
(Geeta)  
Civil Judge & JMFC.,  
Haliyal**