

Dt: 23.07.2025

OS 32-2023

Case called out PW-1 present. L/c for the plaintiff files IA No 5 U/o 7 Rule 14(3) of R/w sec 151 of CPC list with 3 documents. Copy of the same served on the other side. L/d AGP for D-1 and 2 files objection to IA No 5. heard both side on IA No 5.

For orders on IA No 5.

## **ORDER ON I.A.NO.5**

The applicant / plaintiff has filed the I.A.No.5 U/o 7 Rule 14(3) R/w sec 151 of CPC, praying to permit him to produce the list of 3 documents.

In support of the application, the plaintiff has filed his sworn affidavit, wherein it is stated that the plaintiff has filed the suit for permanent injunction with respect to the suit schedule properties. The plaintiff has secured the above said list of documents which are very necessary to produce and marked as exhibits to prove their case. If the application is not allowed the plaintiff will be put to heavy and irreparable loss, on the contrary no loss or injury would be caused to other side. Hence, prayed to allow the application.

The L/d AGP has oppose the same by filing objection to IA No5 contendign that the present application filed by the plalintiff is not maintainable facts and circumstance of the case. The proposed documents are not necessary for this case. It is further contended that the documents shown in the list of documents are created documents. It is further contended that the proposed documents are not related to this case. On these grounds, the L/d AGP request to reject the IA No.5 filed by the plaintiff with cost.

Heard and perused the case records.

The plaintiff has filed present suit against the defendants for permanent injunction with respect to the suit property. The plaintiff every right to produce the documents to prove their case and the defendants have every right to cross-examine the plaintiff on the said documents. Hence, if

the plaintiff is permitted to file the documents, then, no prejudice or harm will be caused to the defendants. In this regard I would relied ruling reported in ILR 2004 KAR 924. In the said judgment Hon'ble High court of Karnataka held that parties can be produced document at any stage of the suit with subject proof of admissibility. Hence by relying the above citation I deems it proper to allow the application in the interest of justice and equity . Hence, I proceed to pass the following:

**ORDER**

I A No. 5 filed by the plaintiff U/o VII Rule 14(3) R/w sec 151 of CPC is hereby allowed as prayed for.

The plaintiff is permitted to file the list of document as prayed.

PW-1 present and further examined and Ex P-1 to 7 are marked. Seeks time. For cross of PW-1.

R/by 06-08-2025

Sd/-

**Civil Judge & JMFC.,  
Siddapur**

