

: - ORDER ON I.A.NO.VIII:-

1. That, the learned counsel for respondent No.2 with his memorandum of facts has filed the application U/O 16 Rule 1 & 2 R/W Section 151 of CPC, with a prayed to issue Summons/Notices to the RTO Yadgir, to produce before this Tribunal the D.L pertaining to the petitioner by name Devindrappa S/o Krishnappa which was issued on 12.01.2015 and his Badge No.3310122B as on 02.03.2020 and to give the evidence regarding the surrender of D.L by the petitioner.

2. That, in said application it has been contended that the Investigation Officer had submitted Final Report against the said petitioner in Crime No.44/2020 for the offences punishable U/Secs 279 & 338 of Indian Penal Code. In said application it has been further contended that, the as per the said final report the petitioner had sustained the injury in previous accident and he had surrender his D.L to the RTO Yadgir and sought for considering his disability as fully.

3. That, the respondent No.1 neither intimated regarding alleged accident to the respondent No.2 nor produced any vehicle document. Hence, it is very much necessary issue summons to the said authority to produce the alleged D.L and give the evidence.

4. It is to be noted that, the learned counsel for petitioner has submitted no objection for allowing the said application.

5. That, I have heard the arguments and perused the materials placed on record.

6. It is noted that, the respondent No.2 has strongly contended that the petitioner had sustained the injury in alleged accident and he had already surrendered his D.L to the RTO, Yadgir.

7. It is to be noted that, the respondent No.2 has got every right to prove his defence with all cogent and reliable evidence. Hence, the said application is deserves to be allowed. Hence, I proceed to pass the following :-

:- O R D E R :-

That, the application filed by the respondent No.2 under on I.A.8 is hereby allowed.

That, the office is to issue notice to the RTO, Yadgir to produce the D.L of the petitioner and to give evidence about the surrender of D.L by the petitioner, if PF and I.A.No.8 copy are furnished.
Returnable by 01.07.2025.

(Smt. Hema Pastapur)
Senior Civil Judge
&,JMFC, Shahapur.