

IN THE COURT OF THE PRINCIPAL MUNSIF, KOCHI

Present:

Sri. Nishad Ibrahim., Principal MunsiffMonday, the 23rd day of September, 2024/1st Aswina, 1946.**I.A No.7/2024 in O.S No.261/2022****Petitioner/Plaintiff:-**

	Shaji P.K., aged 61 years, S/o. Kunjappan, Payyapilli House, Nedungadu Kara, Ward No.5, Nayarambalam P.O., Pin – 682 509, Ernakulam District.
	By Advs. T.N. Suresh, Monsy K.V., Korah Joy, Dhanuja Vettathu & Ashis A.

Respondent/Defendant:-

	Sankaran, aged 62 years, S/o.Chatthunny, Payyapilli House, Nedungadu Kara, Ward No.5, Nayarambalam P.O., Pin – 682 509, Ernakulam District.
	By Advs. Rapheeque C.K., Nidhin Kumar K.B., Vidya C.V., Vijeendra Chandran, Shekha Siyad, Seega Joy, Chithra S. & Nidhin K.N.

This petition filed u/s. 151 of the Code of Civil Procedure to pass an order to accept additional list of document into the file of this court to secure and having been heard on 23.09.2024 and the court on the same day, passed the following:-

ORDER

Petition filed by the plaintiff u/s. 151 of Code of Civil Procedure to accept additional list of document.

2. Heard both sides.

3. According to the petitioner, since the respondent/defendant had suggested during the cross examination of the petitioner as PW1 that the panchayat road on the western side of the plaint B schedule property has been

formed recently, it was incumbent on the part of the petitioner to produce documentary evidence as to the existence of the panchayat road. Hence according to him, the additional list of documents was liable to be received.

4. On the other hand, the learned counsel for the respondent/defendant filed counter stating that the petition was highly belated, that the document was not relevant to the case and that the petitioners intention is only to protect the proceedings.

5. It is true that the petition was filed after the examination of the petitioner as PW1 and when the matter was posted for further evidence of the plaintiff.

6. Considering the rival contentions of the parties, the nature of the document sought to be produced and also the present stage of the case, I am of the view that the petition is liable to be allowed.

In the result,

1. The petition is allowed.
2. No order as to costs.

Pronounced by me in open court on this the 23th day of September, 2024.

Sd/-
Nishad Ibrahim
Principal Munsiff

APPENDIX:- Nil

Id/-
Principal Munsiff

/// True Copy ///

Principal Munsiff

**Order in
I.A No.7/2024 in
O.S No.261/2022
Dtd: 23.09.2024**