

Order below Exh.12 in R.C.S No.750/2021

(CNR No. : MHAH08-0014622021)

By moving this application plaintiff prayed for granting permission to lead secondary evidence.

2. In short, it is contention of the plaintiff company that, joining letter issued in favour of defendant on 17/11/2017. Original copy of that letter is in the custody of defendant. That, plaintiff produced photocopy on the record. The proceeding is going Ex-parte against defendant. So, permission to lead secondary evidence of that copy be granted.

3. No any say by defendant. Plaintiff company has filed this suit for recovery of money against defendant. That, defendant failed to appear though duly served. So, it is proceeded Ex-parte against him.

4. It is revealed on record that, plaintiff company has filed photocopy of joining office letter on the record. Before going to lead the secondary evidence, plaintiff should have given notice to produce document as alleged to the defendant. But no any such notice issued against defendant. Secondly, photocopy which has filed below Exh.9 is not a certified one. In such circumstances, no any compliance has made by the plaintiff to lead secondary evidence as contemplated by the law. Application is deserves to be rejected. In the result. I pass the following order.

: ORDER :

- 1) Application is rejected.
- 2) Parties to take note.

Date : 24/01/2025
Sangamner.

(D.H. Dabhade)
3rd Jt. Civil Judge, Senior Division.,
Sangamner. J.O Code-MH00263