

MHAU130000132009



R.C.S./1400147/2010

Kusum Sirish Jaikar Vs. Municipal Corporation, Aurangabad

ORDER BELOW EXH.162

1. Present application is made by plaintiff for permission to adduce secondary evidence of the sale deed. Read the application and reply of defendant corporation. Heard Ld. Advocates for the rival parties.
2. Ld. Advocate for plaintiff submitted that, the plaintiff has amended the plaint after adducing his evidence. Therefore, it is necessary to permit the plaintiff to file additional evidence in view of amended plaint.
3. Ld. Advocate for plaintiff submitted that, the plaintiff could not find the sale deed dated 22.10.1982 in spite of sincere efforts taken by him. In such circumstances, it is necessary to permit the plaintiff to adduce its secondary evidence.
4. Ld. Advocate for defendant corporation submitted that the plaintiff is required to follow procedure for adducing secondary evidence. Therefore, he prayed to reject the application.
5. It is a matter of the record that, the plaintiff has taken steps to bring original sale deed dated 22.10.1982 on record. However, he could not produce it. Therefore, it is necessary to permit to adduce its secondary evidence. Hence, I pass following order:-

ORDER

1. Application stands allowed.
2. The plaintiff is permitted to adduce secondary evidence of the sale deed dated 22.10.1982.

Date :- 22.11.2024
Place :- Aurangabad.

(Shri. N.H. Tikhe)
Civil Judge Senior Division
(Corporation Court), Aurangabad.

CERTIFICATE

I affirm that the contents of this P.D.F. file Order are same, word to word, as per the original Order.

Name of the Stenographer	: S.V.Shinde,
Court	: C.J.S.D.(Corporation Court), Aurangabad
Date	: 22.11.2024
Order signed by the presiding officer on	: 22.11.2024
Order uploaded on	: 22.11.2024