


MHJN020013232019 	Spl.C.S.No.57/2019 Hasmukhbahi & Ors-Vs-Lata & Ors
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ORDER BELOW EXH.52
(Passed on 03.12.2024)

. Defendants no.1,2,5 & 6 have filed present application for notice to produce sale-deed bearing no.161/1976 dated 07.02.1976 which was executed by Sadashiv Turrewale in favour of plaintiff.

2. Plaintiffs strongly objected the present application on grounds that,already plaintiffs have filed certified copy of sale-deed bearing no.161/1976 dated 07.02.1976 vide list Exh.49/1. In such circumstances, plaintiffs claim that, application may be rejected.

3. Perused application and say.

4. Heard learned advocate Shri. S.G.Rathi for plaintiff.

5. Learned advocate Shri Jakkalwar for defendant no.1,2,5 & 6 is absent when repeatedly called.

6. After perusal of record it appears that, today matter is fixed for cross-examination of plaintiffs witness. Today, PW1- Hasmukhbhai Shah is present. In first session at 1.30 p.m. advocate Shri Jakkalwar was absent when called. Hence, matter kept at second session for cross-examination of PW1. At 3.00 p.m. the representative advocate for Shri Jakkalwar filed present application Exh.52 under Order 11 Rule 16 of The Code of Civil Procedure for notice to

produce sale-deed bearing no.161/1976.

7. It is pertinent to note that, on 26.07.2024, advocate for plaintiff already filed certified copy of sale-deed bearing no.161/1976 on record vide list Exh.49/1. The said copy of sale-deed already received by advocate Shri Jakkalwar alongwith other 12 documents vide Exh.49 and on 16.08.2024 advocate Shri Jakkalwar acknowledged the same. In such circumstances, present application filed by defendants is devoid of merit. Accordingly, order follows :

ORDER

Application vide Exh.52 is rejected.

Date:-03.12.2024

(Dilip S. Thorat)
Civil Judge (Sr.Divn.)
Jalna

CERTIFICATE

I stated that the contents of this PDF file are word to word as per original

Order.

Name of Steno : *Shirish D.Deshmukh.*
Name of Court : Civil Judge(Sr.Divn.),Jalna
Date of PDF : 03.12.2024.

Steno(M.)