

MHJN040001642021



R.C.S. No.15/2021

Sajan Lohare

Vs.

Dhananjay Wakde & Ors.

Order passed below Exh.74(Passed on 6th day of May 2026)

The plaintiff has moved the present application for issuance of witness summons to the Collector, Aurangabad or Deputy Director, Rehabilitation, Jalna along with direction to produce the original file/87/RSLJ/WS/1757 and family certificate dated 12.10.1997 and certificate dated 29.12.1987 on the ground that land in question was acquired land and amount was deposited as per Government orders and therefore, it is necessary to call the original file with the concerned officer, relating to such proceeding.

2. The defendant has opposed the application contending that no specific grounds are mentioned for summoning such witnesses and that the plaintiff has already produced and exhibited the relevant documents, including certified copies of acquisition proceedings.

3. Heard both sides. Upon perusal of the application, it appears that except making a general statement as reproduced above, the plaintiff has not specified as to for what particular purpose the said officer is required to be examined or what specific fact is sought to be proved through the original record.

4. It is pertinent to note that the plaintiff has already entered the witness box and has produced documentary evidence on record, including documents pertaining to acquisition proceedings. The said documents are certified copies of public documents. As per the provisions of the Indian Evidence Act, 1872, contents of such public documents can be proved by

certified copies. In case of any deficiency or requirement of further documents, the plaintiff has the option to obtain appropriate certified copies from the concerned office. Further, the officer sought to be summoned is not shown to have any personal knowledge of the transactions of the year 1987. His examination would essentially be for production of record, which can otherwise be brought on record through certified copies.

5. In these circumstances, the present application does not disclose sufficient grounds showing necessity of examining the said witnesses with original record.

Hence, the application stands rejected.

Date: 06.05.2026

Jt. Civil Judge Junior Division,
Ambad.

CERTIFICATE

I affirm that the contents of this PDF file are word to word as per original Order.

Name of Steno : S.M. Sapkal

Name of the Court : Jt. Civil Judge (J.D.), Ambad

Date : 06.05.2026

Sd/-

Signature of Stenographer