



**Order passed below exh.25 in RCS No. 65/2019**  
**CNR No.- MHJN050006162019**

1. Present application is made by the plaintiff for calling record of house number 4925, 4926, 4566, 4542, 3917, 3918 and 4516.

2. Perused application and say given by the defendant vide exh. 27. Heard both the sides. perused all documents on record.

3. Present suit is for perpetual injunction wherein plaintiff has given description of the suit property of block no. 142/8 admeasuring 1 H 14 R out of it 28 R. Now the plaintiff wants to call the record of house number 4925, 4926, 4566, 4542, 3917, 3918 and 4516 as defendant in his say in page no. 09 para no. 2 pleaded that plaintiff has objected about the ownership, four boundaries and namantar on the date 08/04/2019 before the concerned officer of Nagar Parishad Partur.

4. So far as pleading of defendant is concerned he has to proved his averements in the written statements. Ld.

advocate Shri Raut for the plaintiff submitted that by way of calling this above mentioned record court will come to conclusion that how defendant is creating false record and documents. It is to be noted that above mentioned house number 4925, 4926, 4566, 4542, 3917, 3918 and 4516 are not the part of suit property. To prove the pleading in respect of these house no. is the task of defendant. Plaintiff is not in any way related to it. Plaintiff has to prove his case in respect of his suit property that is block no. 142/8 admeasuring 1H 14 R in it 28R. At this stage, plaintiff has to prove his own case and not falsehoodness in the contentions of defendant. Hence application for calling the records house number 4925, 4926, 4566, 4542, 3917, 3918 and 4516 is not tenable at this stage as the suit is at the stage of hearing on temporary injunction application. Hence I pass following order-

### Order

1. Application at Exh. 25 is rejected.
2. No order as to cost.

Sd/-

Date: 03/08/2019.  
Partur.

(Smt. Pooja N. Kokate)  
Civil Judge, J.D., Partur.

Smt. P.N. Kokate

### Certificate

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

|                          |                                                   |
|--------------------------|---------------------------------------------------|
| Name of the Stenographer | R.B. Dukare                                       |
| Name of the Court        | Pooja N. Kokate, C.J.J.D.,<br>Court No.1, Partur. |
| Date of dictation        | 03/08/2019                                        |
| Order Signed by P.O. on  | 03/08/2019                                        |
| Order Uploaded on        | 05/08/2019                                        |

Smt. P.N. Kokate