

MHKO050001451996



Shri. Raghunath Chavan Vs.
Shri. Balu Chavan & ors.

ORDER BELOW EXHIBIT NO.394 IN
REG. CIVIL SUIT NO.350/1996

This is the application filed by the defendant no.7 and 8 for production of documents. According to defendants, they have purchased Gat no. 235, 201 and 204 from his own income through various sale deeds. It is contended that, original sale deed of Gat no.201 was filed in the R.C.S. No. 207/1985 and original sale deed of Gat No.204 was misplaced. It is contended that, father of defendant no. 7 and 8 were conducting the proceeding of this suit. Subsequently, he died. Therefore, the said documents could not be filed at earlier stage and the defendants prayed to allow the production of said documents.

02. On the contrary, the plaintiff opposed for the production of documents. According to plaintiff, the reference of said documents are not given in the written statement and therefore defendants could not be allowed to produce said documents at this stage. Therefore, he prayed to reject the application.

03. I have heard Ld. Advocates for both the parties. Gone through the pleading of the parties, the present suit is filed for the partition, separate possession and for perpetual injunction. According to plaintiff, suit properties described in Annexure A and B are joint

family properties and out of them some of the purchased from the nucleus of joint family. Defendant no. 7 and 8 prayed to allow them to produce the documents. No doubt that, there is no reference in the written statement of defendant about said sale deeds for which production is sought. But, plaintiff in plaint is not disputed the execution and existence of said sale deeds. Dispute between the parties is as to whether said properties were purchased from the joint family nucleus or from the independent income of defendant no.3. Thus, the existence of said documents is not at all disputed between the parties. Thus, no harm will be caused to the plaintiff, if defendants are allowed to produce the documents. Hence, I proceed to pass following order.

ORDER

Defendant no.7 and 8 are allowed to produce the documents.

(Dictated and pronounced in open Court)

Sd/-

(P.M.Mane)

4th Jt. Civil Judge, Junior Division,
Ichalkaranji.

Ichalkaranji.
Date: 21/11/2019.

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

Name of stenographer	R. D. Patil.
Name of Court	P. M. Mane, 4 th Jt. Civil Judge Jr. Dvn. and Judicial Magistrate First Class, Ichalkaranji.
Date of Dictation	21/11/2019
Order signed by P.O. on	21/11/2019
Order uploaded on	21/11/2019