

MHKO050019182009



ORDER BELOW EXHIBIT NO.175 IN
R.C.S. NO. 18/2010
(Passed on 05.09.2022)

Perused the application and reply thereon. Heard learned counsel for the plaintiff. Perused the written notes of argument filed by learned counsel for defendants.

2. Defendants are seeking the order directing the plaintiffs to produce the original sale deeds specified in para No.4 of their application. It is submitted that plaintiffs are in possession of the said sale deeds. Hence, it is prayed to grant the application.

3. Application is resisted by the plaintiffs on the ground that the documents referred by the defendants in their application are not in the possession of plaintiffs. Moreover, present application is filed with a view to delay the proceeding of the present suit. Hence, it is prayed to reject the application.

4. It is significant to note that plaintiffs have denied the custody of documents sought to be produced by the defendants. Moreover, there is nothing on record to show that plaintiffs are in possession of those documents. In these circumstances, directions to produce those documents cannot be issued as prayed. Resultantly, application is liable to be rejected. Hence, I pass the following order:

ORDER

1. Application at Exh. 175 is hereby rejected.
2. Cost on applicant.

Ichalkaranji.

(H. A. Wani)

Date :- 05.09.2022.

Civil Judge, Senior Division, Ichalkaranji