

R.C.S.No. 63/2017.

Kalpana & Ors. Vs. Dattatray & Ors.

MHKO0150003412017.

ORDER BELOW EXH- 71.

This is an application file by plaintiffs for production of original documents on record. It is contention of plaintiffs that, they have filed relevant and material document on record. Hence, prayed to grant them permission for the same.

2. Defendants through their say at Exh. 74 strongly opposed. They contended that, the documents intent to produce by plaintiffs not relevant with the proceeding and filed to prolong the case. They have filed it after framing of issues without assigning any reason for delay. Thus, prayed to reject the same.

3. This court have heard Counsels of both sides at considerable length. They argue in verbatim of their application and say. Herein pertinent to note that, now suit is pending for plaintiffs evidence. As per order 7 Rule 14 of C. P. Code it is duty of plaintiffs to produce all documents on which they relived at initial stage of proceeding except documents not in their possession. However, plaintiffs no where pleaded their inability to produce these document at earlier stage. Further, it is not contention of plaintiffs that, these documents were not in their possession.

4. It is not contention of defendants that, they would surprise by producing document by plaintiffs on record. The documents intended to filed by plaintiffs on record whether material or not would be decided during trial. Case is pending for plaintiffs further evidence. Hence, for proving their claim they have to grant an opportunity to

produce documents on record. No prejudice would be cause to the defendants if present application allowed. If it rejected it would cause prejudice to the plaintiffs. Hence, considering belated production of documents by plaintiffs over they rely some cost deserve to impose over them. Hence, the result of above discussion this court pass following order,

ORDER

1. Application stands allowed subject to cost of Rs.200/- paid to Legal Aid, Ajara.
2. After compliance of an order documents produce by plaintiffs along with list attach with the application containing nine documents be accepted on record subject to their proof.
3. Plaintiffs to take note and comply order.

Place- Ajara.
Date- 11.02.2026.

(R. P Thore)
Civil Judge, Junior Division,
Ajara.