

**Order below Exh. 76 in Reg. Civil S. No. 83/2018**

(Passed on this 19<sup>th</sup> day of July of 2023)

Sidhaji Vrs. Pundlik & Anr.

**CNR NO.MHLA06002582018**

**01.** The present an application is filed by the defendants for the permission to production the document vide Order XIII Rule 01 of the Civil Procedure Code (for short 'the C.P.C.'). It is contended that, in order to proper adjudication of the matter annexed document is necessary. They have prayer to permission for production of document given to them.

**02.** I have called the say of plaintiff. He has filed his say on application and opposed the production of document. On the ground that, the produced document would cause prejudice to the plaintiff. Defendants did not produced the document along with written statement as per Order VIII R. 01 of the C.P.C. Thus, the production of document is very belated stage. Defendants are intentionally prolonged the matter by moving same nature of application. Ultimately, they have prayed for reject the application for production.

**03.** I heard both side Ld. advocates. As a matter of record, suit posted for final argument. I have gone through the documents annexed with application. They have want to produce Copy of Writ Petition No.7394 of 2022, which is download from the internet. It shows that, defendants being aggrieved against the interlocutory order passed by this Court. As of right, they prepared appeal. So, the document download from the website, which is authentic. Thus, the documents, adduced by defendants is authentic one. So it can be

produced.

**04.** In the backdrop of the above discussions, due to the production of document, no prejudice would be caused to the plaintiff. It further appears that, to meet the ends of justice and to avoid multiplicity of the litigation, production of document of defendants are must to allow. If the application is not allowed, it would be caused serious to defendants. Contrary, if the application is allowed, it would not caused prejudice to the plaintiff. In the result, I pass the following order:-

**-: ORDER :-**

1. The application is allowed.
2. The defendants are permitted to production of document.

(Dictated and pronounced in open Court)

**Place:** Ahmedpur.  
**Date:-** 19.07.2023.

( **Shyam S. Tondchire** )  
III<sup>rd</sup> Jt. Civil Judge, Jr. Dn.,  
Ahmedpur.