

**Order below Exh.34 in Reg. Civil S. No. 592/2021**(Passed on this 08th day of June of 2023)Priti & Anr. Vrs. Hariram & Anr.**CNR NO.MHLA060025402021**

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. They have filed their say on application and opposed the production of document. On the ground that, the produced document would cause prejudice to the plaintiffs. The production of document is very belated stage. Defendants are intentionally prolonged the matter by moving same nature of application. Ultimately, they have prayer for rejecting the application for production.

03. I heard both side Ld. advocates. As a matter of record, suit posted for hearing of below Exh.08. I have gone through the documents annexed with application. They have want to produce Certified copy of Exh.01 in R.C.S. No.159/2021. This document is issued by public office. Thus, as per Sec. 78 of the Evidence Act, the certified copy of Court proceeding is public document. However, as per Sec 79 of the said act certified copies deemed to be may presume. Thus, the document, adduced by defendants is certified copy of public

document. So it can be produced.

04. In the backdrop of the above discussions, due to the production of documents, no prejudice would be caused to the plaintiffs. It further appears that, to meet the ends of justice and to avoid multiplicity of the litigation, production of document of defendants is 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 plaintiffs. 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:- 08.06.2023.

(Shyam S. Tondchire)

IIIrd Jt. Civil Judge, Jr.Dn.,
Ahmedpur.