

	<p style="text-align: center;"><b><u>Order below Exh. 29 In Reg. Civil Suit No. 1030 of 2022</u></b> (Passed on this 22<sup>nd</sup> day of August 2023) Bhagwan V/s. Kaushalyabai CNR NO.MHLA060026762022</p>
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**01.** The present an application is filed by the plaintiff 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. He has prayer to permission for production of document given to him.

**02.** I have called the say of defendants. They have filed their on application and opposed the production of document. On the ground that, the produced document would cause prejudice to the defendants. The production of document is very belated stage. Plaintiff is intentionally prolonged the matter by moving same nature of application. They have submitted that plaintiff wants adduce his evidence through his attorney. 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 evidence of plaintiff. I have gone through the document annexed with application. The said document is Power of attorney. It is submitted that, attorney is grandson of plaintiff. He submits that, due old age, he is unable to attend the court for proceeding of suit. He submits that, attorney is his is grandson, so that he is having knowledge about the suit and suit property. So that, he is able to proceed with the suit on behalf of plaintiff. The present application is for production of document. So that, there is no need to consider about

the legality of power of attorney. Thus, the documents adduced by plaintiff is relevant fact asserted by the him. 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 defendants. It further appears that, to meet the ends of justice and to avoid multiplicity of the litigation, production of document of plaintiff 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 plaintiff. In the result, I pass the following order:-

**:- ORDER :-**

- 1.** The application is allowed.
- 2.** The plaintiff is permitted to production of document.

(Dictated and pronounced in open Court)

**Place:** Ahmedpur.

**Date:-** 22.08.2023.

**( Shyam S. Tondchire )**

III<sup>rd</sup> Jt. Civil Judge, J.D.,  
Ahmedpur.