

ORDER BELOW EXH. 81

(Passed on : 05.10.2019)

01. Present application is filed by defendant No. 1 & 2 to direct the Power of Attorney Holder of the plaintiff and to the plaintiff to produce their identity proof contending that the Power of Attorney Holder has admitted that he can produce those documents. Hence, prayed to allow the application.

02. The plaintiffs opposed the application contending that relationship is admitted by the defendants, therefore, it is not necessary to file the identity proof. Reason to call the document is also not mentioned. Only to delay the matter application is filed. Hence, prayed to reject the application.

03. Heard both the parties. It is argued by Advocate Narhare for defendant No.1 and 2 that, PW-2 has admitted that he can produce the identity proof in respect of their names. Therefore, directions are necessary to be given. On the contrary, it is argued by the Advocate Gaikwad for the plaintiff that the relationship is admitted. Hence, prayed to reject the application.

04. Heard both the parties. Perused the written statement of defendant No. 1 & 2. It appears that they have admitted the relationship with the plaintiff. They have not raised any dispute regarding the name

of plaintiff. On perusing the cross-examination of PW-2, he deposed that he can produce the identity cards of plaintiff and himself. In present matter, the plaintiff has filed on record bonafied certificate as well as certificate issued by Gramsevak to show their names. In these situation, I do not found any reason to direct the plaintiff and Power of Attorney Holder to produce any other documents.

05. Moreover, even it is presumed that there is dispute regarding name of the plaintiff and Power of Attorney Holder and the plaintiff's Power of Attorney Holder failed to produce any document, appropriate inference can be drawn. On these ground also there is no substance in the application. Hence, I pass the following order.

ORDER

Application is rejected.

Sd/-

(R. P. Kulkarni)

Civil Judge Senior Division,
Nilanga.

Nilanga.

Dated : 05.10.2019.