

Order below Exh.69 in Spl.CS No.14/2016

By this application plaintiff has requested for issuing necessary directions to RTO Office, Latur for providing entire record of RC Book and the transactions entered with respect of all the vehicles, whose details are provided in the application, on the grounds mentioned in the application. Defendant Nos. 1 and 2 have filed their say and raised strong objections. Perused application and say. Heard learned advocate Shri.M.K.Walande for plaintiff and learned advocate Shri.U.S. Jadhav for defendant Nos.1 and 2. Both of them have submitted in the line of their application and say respectively.

2. Record shows that plaintiff has filed this suit for recovery of Rs.11,00,000/- from defendants. Defendant Nos.1 and 2 have filed their WS at **Exh.25**. The suit is proceeding ex-parte against defendant No.3. Record further shows that plaintiff moved an application at **Exh.5** for attachment of properties belonging to defendants before judgment. Vide order dated 21/12/2016 the Court has restrained defendants from alienating or creating third party interest mentioned in para No.7 of the plaint, which deals with some movable properties i.e. vehicles and immovable properties. Record further shows that efforts were made by plaintiff for obtaining requisite information from RTO Office, yielded no results. Be that as it may. The information as sought by the plaintiff can be obtained by issuing witness summons to the concerned office at the relevant stage. It is pertinent to note that RTO office, Latur is not party to the suit. In such situation no directions can be issued to any person or office, who is not party to the suit. For these reasons and as other remedy is available with the plaintiff, I pass following order:-

ORDER

1. Application is rejected.
2. No order as to costs.

Date :19/04/2024

(Ashish B. Marlecha)
Civil Judge (Sr.Dn.),
Nilanga, Dist. Latur.