



ORDER BELOW EXH.59 IN RCS NO.65/2025

(Ganesh Vs. Collector)

1. Read the application and say filed thereon. Perused the records of the case. Heard Ld. Advocate for both sides.
2. This is an application filed by defendant No.4 seeking permission to file pen drive which is having video recording of the present location on record. Therefore, it is prayed to accept the pen drive.
4. Plaintiff resisted the application and contended that, the application is not tenable and admissible as no certificate certifying the device condition and authenticity is placed on record. The said device is clone copy and no original document i.e. device on record. Hard copy is in the concern mobile which is not on record. There is no panchnama showing the video or photograph obtained from the original device. The pen drive is not admissible as it is secondary evidence. No device details produced by defendant and there is no assurance of tampering. The contents of pen drive clearly shows that, there is no any land of plaintiff and defendant and there is no any area of plaintiff and defendant in the pen drive. The document is not acceptable at this stage. The video and photo in the pen drive are not concern with the suit property. Hence, it is prayed to reject the application.
5. It is pertinent to note here that, an application for the production of pen drive in the legal context typically filed under Section 151 of the Code of Civil Procedure or similar evidentiary rules requesting Court for permission to submit evidence such as audio, video or document stored on USB flash drive, must be accompanied by Section 65-B certificate (affidavit verifying the datas authenticity). Moreover, the application should explicitly state what is on the pen drive and why it is crucial for the case. The matter is fixed for argument below Exh.5 and plaintiff intends to bring the exact position of the lands of plaintiff and defendant and of the surrounding vicinity on record. However, from the said video the lands of plaintiff and defendant cannot be identified. Hence, in the abovesaid circumstances and in absence of certificate on record, the application deserves to be rejected. Hence, I pass the following order.

ORDER

Application filed below Exh.59 is rejected.

Dt.:- 11/02/2026

Jt. Civil Judge Sr. Dn., Nilanga.