

**Order below Exh.63 in RCS No.347/2016**

By this application plaintiffs have requested for issuing necessary directions to defendant No.2 for proceeding the documents referred in para No.7 of their WS at **Exh.32** on the grounds stated in the application. Defendant No.2 failed to file its say. Defendant No.1 has filed her say and raised strong objections. Perused application and say. Heard learned advocate Shri M.K.Walande for plaintiffs and learned advocate Shri D.B.Salunke for defendant No.1.

2. Record shows that plaintiffs have filed this suit for perpetual and mandatory injunction. From the contents of plaint it seems that there is dispute regarding withdrawal of amount of compensation. Plaintiff No.1 is mother of deceased Sachin Patil whereas defendant No.1 is his widow. It seems that both are claiming the compensation amount belonging to deceased Sachin Patil. Defendant No.2 company, where deceased Sachin Patil was employed, have filed its WS at **Exh.32** and in para No.7 they have clearly stated that the amount of compensation of Rs.91,77,513/- has been paid by them to defendant No.1 as she was appointed as nominee by deceased Sachin Patil. This fact, to some extent has been admitted by defendant No.1 in her WS at **Exh.66** but she has stated that the documents bears her signatures but the amount is lying with plaintiffs. Therefore, the fact that compensation amount has been paid by defendant No.2 is not disputed. Thus, I find no reason to direct defendant No.2 to produce documents to that effect. Record further shows that WS was filed by defendant No.2 on 03/07/2018. This application is filed after lapse more than 6 years. This itself shows that the application is ill intended and it is filed to prolong the matter. For the above reasons, I pass following order:-

**ORDER**

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

Date :02/07/2024

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