

RCS No.51/2008
Vikram Vs. Govind & Ors.

ORDER BELOW EXH.195.

This is application for issuance of witness summons.

2. Heard learned Advocate Shri. B.V. Patil for defendants and learned Advocate Shri. D.D. Somwad for plaintiff at length.

3. I have carefully gone through the the record and argument. The defendants have given notice to admit document (Exh.190) under Order 12 Rule 2 and 3 of the Code of Civil Procedure. On behalf of the plaintiff Advocate D.D. Somwad denied the same vide a reply dated 06/11/2025. Therefore, the defendant filed this application to examine Gramsewak Takali in respect of the record.

4. This is suit for recovery of possession of landed property. Both parties are claiming ownership over to the suit property. Hence, there is need to grant an opportunity to adduce material evidence. As per Order 16 Rule 1(2) of the Code of Civil Procedure, parties desirous of obtaining any summons for the attendance of any person shall file in court an application stating therein the purpose for which the witness is proposed to be summons. This application satisfy that contains. There is necessity issue witness summons as prayed. Therefore, the application is deserve to be allowed. Hence, I pass following order -

ORDER

1. The application is allowed and issue witness summons as prayed, subject to deposit witness allowances in the interest of justice.
2. The defendant shall deposit witness allowances in the

Court.

3. Order dictated on computer and pronounced in open Court.

Date : 08/01/2026

(S. A. Surjuse)
Civil Judge Jr. Division, Deoni.