

MHLA160000012001



RCS No.51/2008

Vikram Vs. Govind & Ors.

ORDER BELOW EXH.267

This is an application for exhibiting documents.

2. Heard learned Advocate Shri. B.V. Patil for defendants and learned Advocate Shri. U.S. Birajdar for plaintiff at length. I have carefully gone through the record. This is suit for recovery of possession. The defendants came with defence of gift deed and relied on revenue record. Thus the documents are material in this suit. But on behalf of the plaintiff has not filed say to this application.

3. The Section 56 of the Bharatiya Saksha Adhinyam (BSA) and corresponding section 61 of the Evidence Act (shortly IEA) provides that contents of document may be proved either by primary or secondary evidence. The Section 157 of the Maharashtra Land Revenue Code provided presumption of correctness and genuineness of revenue entries and record. The copy of village form No.7/12 of the year 1959 to 1981, copy of mutation No.161, copy of village form No.7/12 of 1980 to 1993, copy of mutation No.616 and copy fo village form No.7/12 of 1993 to 2004 are part of the revenue record and entries. Therefore, those record and documents are admissible without oral evidence. The plaintiff's objection in respect belated stage is insufficient to refuse the exhibition of documents. It is pertinent to note here that the plaintiff has ever chance and opportunity to file counter document or prove the counter fact if necessary and permit the law. Hence that objection is not maintainable.

4. The aforesaid documents are part of public document and having presumptive value. It is not rebutted on behalf of the plaintiffs. An oral evidence is not required to prove same. The application is deserved to be allowed. Hence, I pass following order;-

ORDER

- 1) The application is allowed and copies of revenue record shall be exhibited in the interest of justice.
- 2) Order dictated on computer and pronounced in open Court.

Date – 17/04/2026.
Deoni.

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

MHLA160000012001



RCS No.51/2008

Vikram Vs. Govind & Ors.

ORDER BELOW EXH.265

This is an application for permission to file documents.

2. Heard learned Advocate Shri. B.V. Patil for defendants and learned Advocate Shri. U.S. Birajdar for plaintiff at length. I have carefully gone through the record. This is suit for recovery of possession. The defendants came with defence of they got land by way of gift deed and relied on revenue record. They received alleged document on 15/04/2026. Thus the documents are material in this suit. But the defendants trying to file documents on belated stage. Thus this fit case to impose costs or delay in filing document. But that delay or belated stage is insufficient to refuse the production of documents. The application is deserved to be allowed. Hence, I pass following order;-

ORDER

- 1) The application is allowed and the defendants have permitted to produce documents on record subject to costs Rs.500/- in the interest of justice.
- 2) Order dictated on computer and pronounced in open Court.

Date – 17/04/2026.
Deoni.

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