

ORDER BELOW EXH. NO.140 IN R.C.S.NO.378/2023

(Narayandas Vs. State and others)

(Order Passed on this *11th Day of January, 2025*)

CNRNO.MHLA170001362023

Defendant No.7/3 to 7/6 have filed application that, documents produced on record by plaintiff is not provided to them. Therefore, they cannot file their written statement on record. Therefore, they may be granted time to file their written statement after receipt of documents from plaintiffs.

2. Perused the say of plaintiff. He submits that, defendants No.5 to 7 appeared by filling the V.P. of Shri. K.D. Jadhav Adv. and filed written statement vide Exh.41 on 20.06.2021. After the sad demise of defendant No.7 defendant No.5 and 6 appeared through Adv. Shri. Bamankar vide V. P. Exh.80. Defendant No.5 and 6 as well as defendant No.7/3 to 7/6 are legal heirs of deceased Shardabai that is defendant No.7 who appeared on 8.11.2021. The plaintiff already filed all documents as per Exh.4. Copies of documents were already supplied to defendants. Certified copies of said documents are filed alongwith evidence affidavit vide list Exh.89 and 133. As copies of said documents is supplied to defendants there is no question of providing said documents again to them. Defendants are playing tactics to prolong the matter and therefore, the application of defendant be rejected. Period for filing of written statement is already over. Therefore, no written statement order may passed.

3. Heard learned counsels for both the parties. Perused the record. It reveals that, already documents are produced on record

with list Exh.4 alongwith suit. Same copies are produced alongwith affidavit of examination-in-chief of plaintiff at Exh.87. On comparing documents produced on record by plaintiff alongwith affidavit with list Exh.89 it is crystal clear that same documents are produced on record with Exh.4 except documents produced at Exh.134. Already copies of documents are supplied to defendant No.7. Defendants No.7/3 to 7/6 are legal heirs of defendant No.7. Thus, copies are supplied previously to defendant No.7 and her Advocate. There is no question to supply copies of same documents given to defendants No.7/3 to 7/6 as the learned counsel for defendant No.7 has previously not objected for not providing documents. Subsequently after changing advocate on record this application is filed on behalf of defendants No.7/3 to 7/6. There are no reasonable grounds assigned by defendants No.7/3 to 7/6 to file this adjournment application for filing written statement on record as already written statement of defendant No.5 to 7 is filed at Exh.41. More over they can obtain scanned copies of documents on pen drive. Hence, the application filed by defendants No.7/3 to 7/6 is liable to be rejected. Therefore, I pass following order:-

ORDER

1. The application is rejected.
2. Concerned Clerk to provided scanned copies of documents filed by plaintiff alongwith his affidavit of examination-in-chief with list Exh.89, Exh.133 and Exh.134 subject to condition that defendants No.7/3 to 7/8 shall provide the

pen drive for obtaining scanned copies of documents.

Date : 10.01.2025.
Place : AUSA.

(P. I. Mokashi)
Civil Judge Senior Division,
AUSA.