

:- ORDER BELOW EXH.U-4 :-

1. Amid trial the second party preferred this application thereby calling upon the first party to produce certain documents which are more specifically detailed in the application. According to second party, all documents listed in the application are relevant for the purpose of evidence and therefore, the first party be directed to tender them before court. Finally he prayed for allowing application with suitable mandate.
2. Countering application, the first party raised stiff objections through their reply. According to them the application is baseless, illegal and untenable in the eyes of law. It is the primary duty of second party to prove and establish their own case, therefore, seeking any document for the purpose of evidence that too from the first party is not tenable within four walls of law. There is no ground for seeking production of those documents. The subsequent demand of documents on the part of the second party is nothing but embarking upon fishing and rowing enquiry in the hope that some material will come to hand on the basis of which the second party can set his case. At the end, The first party implored for rejection of the application *in limine*.
3. It is momentous to note that as per settled legal principles as and when any party opt to prefer application for production of documents then it is mandatory that such application for production of document must contain all the necessary materials in order to enable the Court to apply it's mind, determine the relevancy of the documents and ascertain whether production should be allowed or not. In such legal scenario, the applicant party is under legal obligation to make out a case why it would be necessary for certain documents to be produced. The relevancy of the document is epochal to ponder over before allowing such application for production of documents. Applying similar set of principles to present *lis* in hand, I believe the second party has completely failed to comply the

same. Present application is utmost vague and is lacking of chain of relevancy. Despite opportunity, so also having knowledge of the same, the second party utterly failed to exhibit how the documents detailed in the application are useful and relevant for the just and proper adjudication of this reference. The only point for consideration in this reference is whether termination is illegal or not ? Therefore, it does not warrant any production of documents list herein-before. They are not vital for the just adjudication of the complaint. There is absolutely no iota of substance to issue directions to the first party to produce such documents in the court. Consequently, I found no water in contentions posed by the second party.

4. It is cardinal rule of law that party to the litigation has to stand on his own foot. Thus second party is under obligation to buttress his claim on his own documents. The subsequent demand of documents is nothing but embarking upon fishing and rowing enquiry in the expectation that some material will come to hand on the basis of which second party can set his case. However it is impermissible in law.

5. When relevancy and efficacy of documents sought through present application from the second party, is itself under scanner of doubt then the question of their production *vis-a-vis* suitable directions against them, doesn't arise. There is no just and suitable reason before Court to intervene and direct first party for the production of the same. In the circumstances, in my candid opinion the application being devoid of merit deserves rejection at threshold. To sub-serve justice, I pass the following order;

: ORDER :

Application is thwarted and disposed off accordingly.