



ORDER BELOW EXH. 24

The present application is filed by the plaintiffs for permission to lead secondary evidence, vide section 65 of the Indian Evidence Act. Called say. No say filed till today, hence proceeded without say of the defendant.

2) Perused the application. Heard learned advocate for plaintiff. Permission to lead secondary evidence regarding the documents filed in the list at Exh.19 is sought on the ground that original copies of those documents are filed in another suit R.C.S. No. 105/2021 instituted between the same parties. She further submitted that, original documents are now in the custody of magistrate, plaintiff thus unable to produce it. Accordingly, she has prayed for permission to lead secondary evidence.

3) The present suit is for perpetual injunction. Plaintiffs have filed xerox copies of certain documents at Exh.19. those documents are verified by the A.S of the court. Plaintiffs are claiming that they are relying on the above-mentioned documents in respect of suit claim. However, it is pertinent to note that original copies of documents listed at Exh.19 are public documents, which can be easily available or certified copies of which can easily be obtained. Under such circumstances, plaintiffs cannot jump on to opt for last available recourse. Hence, application is devoid of merits and thus, liable to be rejected. Hence, I pass following order:

ORDER

Application at Exh. 24 stands rejected.

Date :- 07/03/2026
Place :- Pimpalgaon (B).

Sd/-xxx
(V. W. Khendad)
2nd Jt.Civil Judicial Junior Division
Pimpalgaon (B)