

RCS No. 05/2013
Kacharu Baraku Shinde
Vs.
Jagannath Aananda Mali & Ors.

ORDER BELOW EXH.77

This is an application filed by the plaintiff and thereby prayed that witness summons be issued to TILR, Yeola, Record Keeper of district court, Nashik and Balu Bhaginath Pimpale. He prayed that application be allowed.

2. Per contra defendant No.1 opposed the application on the ground that after framing of the issues list of witnesses was ought to be filed by the plaintiff but he has not filed it and this application is filed to prolong the case. Therefore, he prayed that application be rejected.

3. Defendant No. 2 & 7 failed to file their say therefore, the application proceeded without their say.

4. Defendant No.8 filed his says and opposed the application on the ground that plaintiff have to file the list of witness but he has not filed it and therefore application may kindly be rejected.

5. Heard. Perused the record. This is an application filed by the plaintiff for the issues of witness summons to the TILR Yeola, Record keeper of district court, Nashik and Balu Bhaginath Pimpale. So far as the issue of witness summons to TILR and Balu Pimpale is concerned then the plaintiff has right to examine the witnesses. But instead of calling Record keeper of district court, Nashik as witness, he can file certified copy of the documents or he can call the original record. Hence, I pass the following order:-

ORDER

1. Application is partly allowed.
2. Issue witness summons to TILR, Yeola and Balu Bhaginath Pimpale.

Date: 06.08.2025

(D.M.Gulati)
Jt. Civil Judge J.D., Yeola, Dist. Nashik.