

MHRG140022372023



ORDER BELOW EXHIBIT 1

1. This is the suit filed for partition, declaration and for perpetual injunction. On 12.09.2025, when the matter was taken for hearing on application at Exh-63 & 88, both the applications found missing from the record. Therefore, directions were given to the concerned clerk Shri. Ranjit Tanaji Chaugule to search these applications and to produce before me. However, though search was taken the applications could not be traced out. Again when the thorough search taken of the record certain other applications were also found missing. Therefore, on 03.10.2025 written notice was given to the concerned clerk to search the missing applications and produce before me. Therefore, after taking search of the documents and applications concerned clerk produced the other applications and documents but could not produce applications/documents at Exh-61, 63, 67, 72, ,73, 75, 80, 86, 88 and 89. Perusal of record found that the concerned counsel for the parties have obtained certified copies of missing documents. Hence, after discussion with both side counsels for the parties, they agreed to cooperate for reconstruction of the missing documents. Therefore, to reconstruct these documents letter was sent for permission to Hon'ble Principal District and Sessions Judge vide outward no.1207/2025 dated

17.10.2025. However, till date no communication is made from District Court regarding whether the permission was granted or not. Both the parties on each date appearing and insisting on hearing of the missing applications. Plaintiff has also filed application at Exh-95 that he is ready to file on record the certified copies he had taken of the missing documents/ applications. Therefore, say of the defendants was called and all the defendants have given no objection for reconstruction of missing documents/applications and to proceed in the matter. Therefore, I am of the view that there is no hurdle to grant permission to the plaintiff to produce certified copies of the missing documents/applications which can be treated as reconstructed copies of missing documents/applications. Hence, I proceed to pass following order:-

ORDER

- i. Application of the plaintiff at Exh-95 is allowed.
- ii. Plaintiff is permitted to file certified copies of the missing documents/applications on record which shall be treated as reconstructed copies of that applications.
- iii. No order as to cost.

Uran,
Date: 12/12/2025

(S. P. Wankhade)
Jt. Civil Judge J.D., Uran