<u>Order below Exh. 01 in R.C.S. No. 37/2018</u>
<u>(CNR No. MHRT080002852018)</u>

Present suit is pending for evidence. Learned advocate for the plaintiff has prayed for exhibiting and admitting in evidence the documents produced on record as per list at Exh. 54.

02. Learned advocate for the plaintiff has submitted that the documents so produced are public documents. Thus, these documents be admitted in evidence, he submitted.

03. Learned advocate for the defendant has submitted that unless author of the documents is examined, these documents cannot be admitted in evidence.

04. Document at Sr. No. 01 in the list at Exh. 54 is copy of 7/12 extract of Gat No. 55/3. Document at Sr. No. 02 in the list at Exh. 54 is copy of mutation No. 52. Document at Sr. No. 03 in the list at Exh. 54 is copy of mutation No. 51. Considering nature of these documents, these documents at Sr. No. 01 to 03 in the list at Exh. 54 are marked as **<u>Exh. 81 to 83</u>** respectively and are admitted in evidence.

05. Documents produced as per Sr. No. 04 in the list at Exh. 54 are – i) receipt as to payment of amount to the Government, ii) Certified copy of application made for inquiry as to heirs, and iii) Photocopy of from No. 9. Considering the nature of the documents at (i) and (ii) produced as per Sr. No. 04 in the list at Exh. 54, these documents are marked as **<u>Exh. 84 and 85</u>**. The document of clause (iii) produced as per Sr.

No. 04 in the list at Exh. 54 is photocopy. Thus, it cannot be admitted in evidence, as the circumstances for adducing secondary evidence in respect of said document are not made out.

06. The document at Sr. No. 05 consist of letter issued by Sarpanch and photocopies issued by him. These are not public documents. Thus, those documents produced as per Sr. No. 05 of the list at Exh. 54 cannot be admitted in evidence.

07. The document at Sr. No. 06 in the list at Exh. 54 is the letter issued by Tahsildar. Being so, it can be admitted in evidence. Thus, it is marked as **Exh. 86**.

08. The documents produced as per Sr. No. 07 in the list at Exh. 54 are six receipts as to payment of tax amounts. Considering nature of these documents, they can be admitted in evidence. Accordingly, they are marked as **Exh. 87 to 92.**

Date :- 10/01/2024

(B. D. Tare)
Civil Judge (J.D.), Devrukh.

- : C E R T I F I C A T E : -

Judgment/order in (Order below Exh. 01 in R.C.S No. 37/2018)

I affirm that the contents of this Pdf file order are same words as per original order.

Name of Stenographer	:-	S. A. Bhale
Court Name	:-	The Court of Civil Judge (J.D.) & Judicial Magistrate F.C., Devrukh
Date	:-	10/01/2024
order signed by PO. on	:-	10/01/2024
order uploaded on	:-	10/01/2024