

MHSN020017482023 	<u>ORDER BELOW EXH NO. 21 IN RCS No.328/2023</u> Shree Mallikarjun Traders Vs. Sita Trading Company
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The present application is filed for production of vouchers which are filed vide list at document below Exh.3 at Sr. No. 1 to 12.

02] It is the contention of the applicant that the defendant used to purchase corn from the plaintiff and till the date he has purchased corn worth of Rs. 26,45,000/- and paid the amount through debit vouchers. At that time, the plaintiff used to take photographs of those debit vouchers on his mobile. The original debit vouchers are with the defendant. Therefore, the plaintiff as filed photographs of those vouchers at Exh. 3 at Sr No. 1 to 12. Now those vouchers are necessary to prove his case. Hence, the plaintiff filed present application for direction to produce the documents in the interest of justice.

03] Whereas this application is strongly objected by the defendant by filing say on 23.01.2025. It is the contention of the defendant that the document filed by the plaintiff below Exh. 3 at Sr. No. 1 to 12 does not mention the name of person issuing it. So also the defendant at the time of filing W.S. on record filed two vouchers on record. Therefore instead of directing the defendant, the plaintiff be directed to file carbon copy of the debit vouchers of the defendant's

trading company which is available with it. Therefore this application be rejected.

04] Perused the application and say filed. Heard both sides. Perused the entire record.

05] Upon the perusal of records it appears that, original copy of debit vouchers bearing no. 5 dated 06.01.2022 and Sr. No. 8 dated 02.01.2022 are filed by the defendant, at the time of filing W.S. The photocopies of those two documents is below Exh. 3 at Sr. No. 5 and 8. It shows that, the remaining original copies of the documents is with the defendant. Therefore, considering the case of the plaintiff and the defence taken by the defendant, those vouchers are necessary for the just decision of the case. Therefore, I am inclined to allow this application and the order-

ORDER

1. The application is allowed.
2. The defendant is directed to file original copy of debit vouchers as per the application. (More specifically the documents filed vide list of document below Exh. 3 at Sr. No. 1 to 12.) till next date.

Date:- 21.06.2025.

(Rohini S. Patil)
Joint Civil Judge, (Jr. Dn.),
Sangli.