

MHSN050006062014



ORDER BELOW EXH. 237 IN R.C.S. NO. 157/2014

1. Perused the application. The defendants failed to file their say though opportunity given to them hence, no say on their behalf. Heard the learned counsel for the plaintiffs. Also gone through the application at Exh.224 and evidence of P.W. Nos.7, 8, & 9. It appears that the purchaser of the suit property have stated that the original sale deed is not found to them. As the said witnesses are purchasers of the suit property the original sale deed ought to have in their custody but they deposed that they did not find the original sale deed and it is lost. In such circumstances, the plaintiff is entitled to adduce secondary evidence of the sale deeds.

2. The plaintiff also prayed that the said sale deed may be exhibited but without examination of the sellers or purchasers or attesting witnesses, it cannot be exhibited. Hence, order.

ORDER

1. The application is partly allowed.
2. The plaintiff is permitted to adduce secondary evidence of the sale deeds filed as per list at Exh.148 at Sr. Nos.1 to 4 & 53.

Islampur

Date: 5/4/2024

(V. G. Chaukhande)

Civil Judge, Sr.Dn., Islampur

CERTIFICATE

I affirm that, the contents of this P.D.F. file order/Judgment are same, word to word, as per the original order.

Name of Stenographer	:	S. A. Desai (Gd-II)
Court	:	Civil Court Sr.Dn.Islampur
Date of Order/Judgment:		5/4/2024
Signed on	:	6/4/2024
Uploaded on	:	8/4/2024