

ORDER BELOW EXH. 49 Spl.C.S.No. 794/2014

The application moved by the plaintiff for granting permission to lead secondary evidence.

As per the contention made by the plaintiff and as per the record, the application with prayer to direction to the defendant to produce original Sale-Deed No.3866/13 dt. 27/09/13 filed on record by the plaintiff, which was granted by order dt. 26/02/2016. The defendant failed to comply the same so the preset application moved by the plaintiff with prayer to grant permission to lead secondary evidence of the said Sale-Deed bearing No. 3866/13 dt. 27/09/13.

The defendant even thereafter this application did not pay any heed to the same. The application heard without say and argument from the side of defendant. As per the previous order dt. 26/02/16 not complied by the defendant, it clearly suggest that defendant is not intending to produce the said document which in fact, needed in the evidence of the plaintiff.

In the above circumstances, there is no other way but to allow the plaintiff to lead secondary evidence, as prayed. Hence, order :

: ORDER :

The plaintiff is allowed to lead the secondary evidence regarding the Sale-Deed bearing No. 3866/13 dt. 27/09/13 and proceed with the evidence.

Dt. 13/06/2016.

(Harsha C. Shende - Kulkarni.)
Addl. Judge,
Small Causes Court, Pune.

I affirm that the contents of this PDF file
Judgment are same word for word as per original Judgment.

Name of the Steno : V.A. Endgallu. (H.G)
Name of the Court : Harsha C. Shende – Kulkarni.
Addl. Judge,
Small Causes Judge, & Jt.
Civil Judge, Sr.Dn., Pune.

Date : 13/06/2016.
Judgment signed by Presiding Officer on : 13/06/2016.