

MHSN110003002008

ORDER BELOW EXHIBIT 310
REG. CIVIL SUIT NO. 46/2008
(Dastagir Sande Vs. Mohan Jagdale)

1] Plaintiff has filed application to exhibit the document.

2] It is the contention of the plaintiff that, list of document below exhibit 85/1 assessment extract is filed. Below exhibit 85/2 Clot Yadi is filed along with seal and signature of Grampanchayat. These documents are public documents and they be exhibited.

3] enquiry register extract with City Survey Office seal and signature is filed below exhibit 206/1 from Grampanchayat assessment extract is filed below exhibit 206/2 and 206/3. These documents are public documents and they be exhibited. List of document 165/1 to 165/5 the verified copy of official documents of APMC is filed. They be exhibited. Register post receipt be exhibited which is filed below exhibit 225/2. Official documents are filed by witness of APMC (कृषी उत्पन्न बाजार समिती) which are checked and verified by Nazar of the Court, inward, outward register is filed by BDO which is filed below exhibit 183/1 which is checked and verified by the Nazar. Below exhibit 201/1 to 201/22 the documents of BDO office are filed which are in regard of official work and it has presumptive value.

Hence, these documents be exhibited.

4] Tax receipt is filed below exhibit 108/1, it being public document it be exhibited. The license holder of weights and measurement receipts is filed which is the public document and it be exhibited.

5] All the above documents are remained to be exhibited inadvertently hence, prayed to exhibit the documents.

6] Defendant no. 1(a) to 1(c) filed their say below exhibit 312 and resisted the same. It is the contentions of the defendants that, plaintiff has filed plot yadi below exhibit 85/2 which is of the more properties hence, it cannot be public document. It is not proved by witnesses. It is further contention of the defendants that, plaintiffs have filed Register post receipt below exhibit 225/2 which is not proved as per law. It is cannot be public document. Plaintiffs have filed documents of exhibit 165/1 to 165/5 which is checked and verified by Nazar but the said documents are not proved by witnesses. The said documents are in regard of official work and it has no presumptive value. Tax receipt is not proved by the witnesses. Plaintiff have not proved the receipts from officer of weights and measurement office and that cannot be a public document. Hence, defendants have prayed not to exhibit the documents on which objection is raised. Hence, prayed to reject the

application.

7] Heard both the Advocates. I have gone through documents which are filed by the plaintiff. On perusal of documents filed below exhibit 85/1, it is a 8-A extract to which exhibit 86 is given. So far as, document filed below exhibit 85/2 is concern, it is a list of persons who have applied for receiving house which is prepared by Grampanchayat having a seal and signature of Gramvikas Adhikari, Kharsundi. This apparently shows the list is prepared by Grampanchayat Kharsundi. The copy is neither true copy nor certified copy of public record. Hence, I am of the opinion that, it cannot be exhibited unless it is proved as per provisions of law.

8] On perusal of documents filed below exhibit 206/1, it is extract of City Survey Register and it is a certified copy. The document being public document, it is necessary to be exhibited. Document filed below exhibit 206/2 is true copy of assessment list for the year 1984-85 and document filed below exhibit 206/3 Grampanchayat House Property 550 assessment list is a true copy. All these documents are public document hence, they are required to be exhibited. Document filed below exhibit 225/2 is a postal acknowledgment having postal seal as well as stamp of block development officer and his signature dated 08/11/2016. Hence, the postal acknowledgment receipt be exhibited.

9] On perusal of document filed below 165/1 to 165/5. It is a documents of APMC and applications filed by plaintiff at relevant time. Even though, they are verified copies, the documents ought to have been proved in the evidence of plaintiff. These documents cannot be called a public documents. Hence, these documents are not entitled to be exhibited. Document filed below exhibit 183/1 is a extract of inward outward registered is checked and verified by Court Nazar produced by the witness. The inward, outward registere could not be public document. Hence, the content of the registers are required to be proved as per provisions of law. Hence, they cannot be exhibited. Moreover, the documents filed below exhibit 201/1 to 201/22, 201/24 are the documents of proceeding. The contents in the documents is required to be proved as per provisions of law. They cannot be called as public documents. Hence, they cannot be exhibited.

10] Document filed below exhibit 108/1 is a tax receipt of Grampanchayat hence, the document be exhibited. The document filed below exhibit 108/7 is a receipt executed by Bhosale Scale work, Vita. This cannot be a public document and has to be proved as per the provisions of law. Hence, it cannot be exhibited.

11] Considering all this facts and circumstances, I proceed to pass following order.

ORDER

- 1) Application Exhibit 310 is partly allowed.
- 2) The documents filed below exhibit 206/1 to 206/3, 225/2, 108/1 be exhibited.
- 3) The prayed to exhibit rest of the documents stands rejected.
- 4) Costs in cause.

Date:- 27/06/2025
Atpadi

(R.B. Kulkarni)
Jt. Civil Judge Junior Division
Atpadi, Dist- Sangli

<u>CERTIFICATE</u>	
I affirm that the contents of this PD.F. file Order/Judgment is same word for the word as per original Order/Judgment.	
Name of Steno	:- Shri. A.R. Jadhav, Steno (Grade-3)
Court Name	:- R.B. Kulkarni Jt. CJJD & JMFC, Atpadi, Dist- Sangli
Date of Order/Judgment	:- 27/06/2025
Signed by PO on	:- 30/06/2025
PDF uploaded on	:- 30/06/2025