

Order Below Exh.599 in R.C.S No.245/1987
(Anjubai Deshmukh Vs. Shantabai Tate and Ors;)
MHSO110000261987

Plaintiffs have filed the present application for permission to file the documents on record.

2] It is the contention of the plaintiff that, present suit is filed for partition and separate possession. During the pendency of suit defendant No.2(2) has transferred the suit property by way of compromise deed which is passed in R.C.S No.1510/2024. The said record i.e compromise deed and other necessary documents are necessary to bring on record. Hence, present application has filed for bringing the documents on record.

3] Defendant Nos.5 to 8 and 25 to 28 have given their say below Exh.607. Defendant Nos.2(1) to 2(7) and 20 to 22 have filed their say vide Exh.615. Defendant Nos.3 to 5 have given the pursis below Exh.623 and adopted the say given by defendant Nos.2 and 20 to 22.

4] Perused the application and say. Also perused the record of the suit. It appears that, suit was posted for final argument. Then, plaintiff has filed the present application for production of documents on record and contended that these documents are necessary in view of nature of the suit. Admittedly, present suit is for partition and separate possession. After perusing the documents which plaintiffs wants to file on record, it appears that it is in respect of compromise suit. It also appears that properties mentioned in the said suit are the subject matter of the present suit. So, it appears that, those documents are

relevant and necessary in order to decide the present suit by leaps and bounds. Those documents are connected with the present suit. Moreover, if production of those documents are allowed, it will not take away the rights of defendants. It is necessary to mention that, defendants are having right to contradict to those documents at proper stage and time if plaintiffs proceeded for leading the evidence in respect of those documents. The present application is only in respect of permission to file documents on record. Hence, considering the application, say and nature of the suit, I pass the following order

ORDER

- 1] Application is allowed.
- 2] Plaintiff is hereby permitted to file the documents on record which are with the list at Exh.600.
- 3] No order as to costs.

Malshiras
Date : - 09/05/2025

(S.U.Nyaharkar)
Jt.Civil Judge J.D.
Malshiras