

ORDER BELOW EXHIBIT-82

Defendant Nos. 5 and 6 have filed this application seeking permission to produce the documents which are filed as per list of documents annexed to this application and they have also prayed to admit said documents in evidence and to give exhibit numbers to them. They have submitted that inadvertently they could not file the said documents. On the point of view of evidence, it is very necessary to bring on record the said documents. The said documents are the part of their written statement. The said documents will help to decide this matter. The plaintiff has not raised any objection regarding the said documents.

02. On behalf of the plaintiff, his learned Advocate has given his say on the application. He has submitted that the application is not tenable. The receipts in respect of paper publications at serial No. 1 and 2 which are filed as per list of documents are not produced. Therefore, the said documents cannot be given exhibit numbers. Hence, the application be rejected.

03. I have heard learned Advocate for the plaintiff. When called, defendant Nos. 5 and 6 and their learned Advocate are absent. I have perused the record of the case. It appears that in this case, defendant No. 5 has filed his affidavit in lieu of chief-in-examination vide exhibit-81. Evidence of defendant Nos. 5 and 6 is not over. Considering the facts and circumstances, in the interest of justice, it is just and proper to grant permission to defendant Nos. 5 and 6 to produce the documents which are filed as per list of documents annexed to this application. Further, said documents appear to be relevant. Further, even if, permission to produce the said documents is granted to defendant Nos. 5 and 6, no prejudice will be caused to the plaintiff.

04. But it appears that, defendant No. 5 is not verified on the point of view of his affidavit in lieu of chief-in-examination. At the time of his verification, the fact as to admission of documents can be decided. In the result, I pass following order: -

ORDER

Application at exhibit-82 is partly allowed.

02. Permission is granted to defendant Nos. 5 and 6 to produce the documents which are filed as per list of document annexed to this application.

Date : 11.04.2025

(A. P. Khanorkar),
Civil Judge, Senior Division, Barshi.

CERTIFICATE

I affirm that the contents of this PDF file Order / Judgment are same word to word, as per the original Order / Judgment.

Name of the Stenographer	: S. N. Chilka, Stenographer Grade-2.
Court	: Civil Court Senior Division, Barshi.
Judgment / Order signed by the P. O. on	: 11.04.2025
Judgment / Order uploaded on	: 16.04.2025