

CNR NO.MHST-0500 0024 2026

IN THE COURT OF CIVIL JUDGE SENIOR DIVISION, KARAD
ORDER BELOW EXH.19
IN
Succession No.3/2026

1. Smt. Suhasini Chetan Panaskar and Ors.	...Applicants.
<i>Versus</i>	
1. Mrs. Komal Jaywant Desai and Anr.	...Respondents.

Advocate Mr. D. V. Patil for Applicant.

Advocate Mr. P. A. Molawale for Respondent No.1.

Coram : S. B. Todkar,
C.J.S.D. Karad.
Date : 05/08/2026

ORAL ORDER :

This is an application filed by Ld. advocate for the respondent No.1 for direction to the applicant and/or the respondent No.2 to produce document mentioned in the application.

2. Perused the application and say. Heard both the sides.
3. It is the contentions of the respondent No.1's Advocate in the present application that the applicants have filed application for succession certificate to get benefits of L.I.C. policy No.995345413. The mentioned L.I.C. policy is in the name of deceased Chetan Prakash Panaskar. It is the contentions of the applicants that the respondent No.1 is the nominee in the said policy. Actually the respondent No.1 is not having any information and document about that policy. When the respondent No.1 has made enquiry about those documents towards the respondent No.2, the society refused to give it and told that the society is going to file those documents in the Court. Hence, the application.
4. By filing his hand written say on the application itself, the Ld. Advocate for the applicant opposed the application on various

grounds and finally prayed for rejection of the application. It is the defence of the applicant's Advocate that application is false. The applicants have already filed xerox copy of L.I.C. policy on record. They have already made applications dt.06/09/2022 and 16/06/2023 towards the respondent No.2 demanding those documents. For those documents, it is necessary to the respondent No.1 that, she should send letter or give notice u/O.XII R.8 of the Code of Civil Procedure to the respondent No.2. But, in stead of that by filing such type of vague applications, the respondent No.1 is trying to prolong the hearing of the succession application.

5. I have gone through the record. It appears that the applicants have filed application for succession certificate on the basis of L.I.C. policy bearing No.995345413 which is in the name of deceased Chetan Prakash Panaskar. It is the contentions of the applicant's that applicant No.1 is the wife and applicant Nos.2 and 3 are the children of the deceased Chetan. Being the children and/or legal heirs of deceased Chetan, they are entitled for succession certificate. When applicant No.1 has made enquiry towards the respondent No.2 about the policy at that time she came to know that the deceased Chetan had nominated his married sister i.e. the respondent No.1 to that policy. Inspite of repeated demands made by the applicants towards the respondent No.2, the society has avoided to give benefit's of L.I.C. policy to the applicants, therefore they have filed application for succession certificate.

6. The Ld. Advocate for applicants in his reply stated that the applicants have already filed xerox copy of L.I.C. policy on record. O.XI R.14 of the C.P.C. empowers the Court at any time during pendency of a suit to order the production by any party of relevant or material documents in their possession or power. As per O.XIII R.1 of C.P.C.

requires the parties to produce their original documentary evidence on or before the settlement of issues. Moreover, as per Sec.162/163 of the Indian Evidence Act gives the Court power to inspect a summoned document or direct its production. In the present matter in hand neither the applicants nor the respondent No.2 shown their willingness to produce the original copy of L.I.C. policy on record. The original L.I.C. policy is directly relate to matter in question in the present matter. The original L.I.C. policy is necessary for a fair trial of the application. Therefore, I found substance in the present application. Hence, application deserves to be allowed. Hence, I proceed to pass following order.

ORDER

1. Application Exh.19 is allowed.
2. The applicants and/or the respondent No.2 is hereby directed to produce the original copy of L.I.C. policy No.995345413 and its relevant documents if they are in their possession or power.

Date : 05/08/2025.

[S. B. Todkar]
Civil Judge, S.D. Karad.