

Order Below Exh.15 in Special Civil Suit
No.248/2018

1. Present application is filed by defendant no.2 co-operative sugar factory for directing to the plaintiff to supply Marathi translated copy of the plaint. As per the contents of the application all the directors of the defendant no. 2 factory are farmers therefore, they do not have deep knowledge of English language. Therefore, for the purpose of getting proper details of the pleadings it is prayed that the plaintiff bank which has filed the plaint in English language be directed to provide the Marathi translation copy of the plaint.

2. The plaintiff bank filed say to the effect that necessary order may be passed.

3. Perused application and say. Perused record. Learned council of both side absent for argument. From record it reveals that the plaintiff bank has filed the plaint in English language. Defendant no. 2 is the co-operative sugar factory which wants translated copy of the plaint in Marathi language. According to Maharashtra Official Language Act, 1964 and in view notification published in Part IV-A of Maharashtra Government Gazette Extraordinary, Dated 30th April 1965 the Marathi language is to be language of Civil Courts (other than Civil Court Subordinate to the Hon'ble High Court in Greater Bombay) except for the purpose specified in Schedule A hereto. So, in the exceptions provided in Schedule A the plaint and written statement are excluded from Schedule A. Section 137(3) of C.P.C. provides that where this court requires or allows anything other than the recording of evidence to be done in writing any such court then such writing may be in English but if

any party or his pleader unacquainted with English, a translation into language of the court shall, at his request be supplied to him. In the present case no doubt the advocate for defendant no. 2 is acquainted with English language, but it is the right of every party to the proceeding to know the pleading. So also Section 137(3) of the C.P.C. provides that if any party is not acquainted with English, a translation into language of the court shall at his request be supplied to him on payment of cost of such translation. Defendant no. 2 sugar factory conducting the business in Marathi therefore, for better understanding the pleadings of the plaintiff it could be proper to direct the plaintiff bank to provide translated copy of the plaint in Marathi language to the defendant no. 2. Hence, the following order :-

Order

1. The application is allowed.
2. Plaintiff shall provide translated copy of the plaint in Marathi language to the defendant no. 2 at the cost of defendant no. 2 co-operative sugar factory.
3. Parties to take note of this order and comply forthwith.

Date:- 11-07-2019

Place:- Karad.

(A. P. Kulkarni.)
3rd Jt. Civil Judge Sr. Dn., Karad.