

CNR MHST-0500-1523-2024

**IN THE COURT OF CIVIL JUDGE SENIOR DIVISION, KARAD**  
**ORDER BELOW EXH.71**  
**IN**  
**Spl.C.S. No.103/2024**

|                                          |                |
|------------------------------------------|----------------|
| Vinod Shankar Sankpal                    | ...Plaintiff.  |
| <i><b>Versus</b></i>                     |                |
| 1. Shri. Tukaram Dnyandev Sankpal & Ors. | ...Defendants. |

Advocate Mr. S. V. Thorat for the plaintiff.

Advocate Shri. R. D. Kadam for the defendant Nos.4A, 5 and 6.

Coram : S. B. Todkar,  
C.J.S.D. Karad.  
Date : 29/01/2026

**ORAL ORDER :**

This is an application for production of documents.

2. Perused the application and say. Heard the both side.

3. It appears from the record that the plaintiff has filed present suit against defendants for partition, separate possession, declaration, injunction etc. on the grounds specifically mentioned in the plaint. After service of writ of summons upon the defendants, defendant Nos.4A, 5, 6 and 8 appeared. Defendant Nos.5 and 6 have filed their say cum written statement at Exh.48 and defendant No.4A adopted their written statement by filing adoption pursis Exh.57. The plaintiff has filed temporary injunction against defendant Nos.5 and 6 at Exh.5, which hearing is going on. At that time, plaintiff has filed present application. As per the contents of present application and argument of Ld. Advocate of plaintiff the documents mentioned in document list Exh.72 are important for the determination of real question involved in the interim application and suit. Hence, the application.

4. After perusal of the contents of present application and the argument advanced by Ld. advocate for the plaintiff, it appears the alleged documents are necessary to determine the real question in controversy involved in the interim application and suit. If present application allowed, no prejudice would be caused to the defendants. Defendants can get an opportunity to file their say and refer or rebut the document at the time of hearing of the interim applications and suit. The said documents are related to the issues involved in the interim application and suit. It appears from record that whatever documents produced alongwith present application and with document list Exh.72 were not produced at earlier stage or at the time of presentation of plaint, therefore, plaintiff is seeking permission from the Court to produce it alongwith present application. As per O. VII R.14 sub-clause (3) of the Code of Civil Procedure, 1908, a document which ought to be produced in Court by the plaintiff when the plaint is present, or to be entered in the list to be added or annexed to the plaint but is not produced or entered accordingly, shall not, without leave of Court, be received in evidence on his behalf at the hearing of the suit. Whatever documents produced by the plaintiff alongwith document list Exh.72 are the documents on which he wants to rely, and to support his hearing at the time of interim application and suit. Therefore, it is necessary to give full and fair opportunity to both the parties to prove their contentions in the interim application and its say. Therefore, I found substance in the submission made in the present application. Hence, I proceed to pass the following order.

### **ORDER**

1. Application Exh.71 is allowed as follows.

2. Permission is granted to the plaintiff to produce the documents mentioned in document list Exh.72 and he is directed to supply its copies to the defendants.

Date : 29/01/2026.

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