



ORDER BELOW EXH.32.

- 1) The present application is filed by plaintiff for notice to produce documents by defendant under Order XI, Rule 16 of Civil Procedure Code.
- 2) According to plaintiff, matter is due for evidence of plaintiff and he filed his evidence affidavit along with document list and he filed document no.3 with list xerox copy of Hibanama and its original copy is in possession of defendant and plaintiff has sought above said document and for proper adjudication the original copy of the said document is necessary. Hence, this application has been filed for production of the original.
- 3) Read the application as well as overleaf say filed by counsel for defendant and contended that the said document is already admitted by him as per Exh.33. Therefore, no need to file original document. Hence, he prays to reject the application.
- 4) Heard learned advocate of both parties. Perused entire record.
- 5) This is a suit for specific performance of contract and for perpetual injunction alternatively refund of earnest amount

with interest etc. and matter is due for evidence of plaintiff.

6) The defendant has clearly disclosed that he has admitted the said document as mentioned in Exh.33.

7) Therefore, the plaintiff may lead secondary evidence as per the provisions of the law. Hence, the following order.

ORDER

- 1) Application is disposed of with liberty to plaintiff to lead secondary evidence for the sought document as per the provision of the law.
- 2) No order as to costs.

Date : 30.01.2026.

(P. S. Jondhale)
Civil Judge (Sr. Dn.),
Wani.