

**IN THE COURT OF HON'BLE CIVIL JUDGE SENIOR DIVISION
PUNE, AT PUNE**

SPECIAL CIVIL SUIT No. 1353 of 2024

Mr. Kadir Gulamkadar Memon

...Plaintiff

Vs

Mr. Aslam Samdani

...Defendant

APPLICATION UNDER ORDER XVI RULES 10 AND 12 OF THE CODE OF
CIVIL PROCEDURE, 1908 FOR SECURING ATTENDANCE OF WITNESS

The Plaintiff most respectfully submits as under:

1. The Plaintiff has filed the present suit for recovery and possession of the Plaintiff's Truck and Swift Car along with consequential reliefs.
2. The matter is presently at the stage of Plaintiff's evidence.
3. Pursuant to an application filed by the Plaintiff, this Hon'ble Court was pleased to issue witness summons to the Officer-in-Charge / Record Clerk, Lashkar Police Station, Pune City, for production of relevant records and for giving evidence.
4. The said summons were duly served upon the witness on 12/03/2026 as reflected from the service report at Exhibit-25. However, despite due service, the witness failed to remain present before this Hon'ble Court and failed to produce the records called for.
5. Thereafter, the Plaintiff preferred an application seeking re-issuance of summons to the said witness. The said application is presently pending for orders before this Hon'ble Court.

Order

Reissue summons to the Senior P.I of Lakshar Police Station to visit the Court for the witness or to depute any subordinate officer as a witness in the Court.

09-06-2026

4th Jt.C.J.S.D.,Pune

6. The evidence and documents sought from the said witness are material and necessary for effective adjudication of the present suit. The witness is required to produce the record pertaining to the Plaintiff's complaint dated 10/08/2020, the Defendant's statement dated 27/08/2020 and other connected records maintained by Lashkar Police Station, Pune.
7. In view of the failure of the witness to comply with the summons already served upon him, the Plaintiff submits that this is a fit case for taking recourse to the provisions of Order XVI Rules 10 and 12 of the Code of Civil Procedure, 1908, so as to secure the attendance of the said witness.
8. The Plaintiff therefore humbly prays that this Hon'ble Court may be pleased to:
 - a) Allow the present application;
 - b) Direct re-issuance of witness summons to the Officer-in-Charge / Record Clerk, Lashkar Police Station, Pune City;
 - c) In the event of failure of the said witness to obey the summons and remain present before this Hon'ble Court, be pleased to issue a warrant under Order XVI Rules 10 and 12 of the Code of Civil Procedure, 1908 for securing his attendance before this Hon'ble Court;
 - d) Pass such other and further orders as this Hon'ble Court may deem fit and proper in the interest of justice.

Pune/Date:09/06/2026



Advocate for the Plaintiff