

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CIVIL MISCELLANEOUS JURISDICTION No.1436 of 2016**

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Ramji Prasad Mahto & Ors		 Appellant/s
	Versus	
Sri Sakaldeo Paswan & Ors		 Respondent/s

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Appearance :

For the Appellant/s : Mr. Manoj Kumar Singh
For the Respondent/s : Mr.

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**CORAM: HONOURABLE MR. JUSTICE MUNGESHWAR
SAHOO**
ORAL ORDER

2 09-12-2016 Heard the learned counsel for the petitioner.

Perused the impugned order dated 22.10.2016 passed by Sub Judge I, Lakhisarai in Title Suit No.15 of 2001 whereby the learned Court below has allowed the application filed by the plaintiff respondent and marked two documents as exhibits recording a finding that the documents are public documents.

The grievance of the petitioner is that at the stage of argument, the Court below could not have marked the documents. Secondly, the document produced by the plaintiff respondent is photocopy of the voter list.

From perusal of the impugned order, it appears that the Court below nowhere mentioned that the document which is to be marked is photocopy of the voter list. From perusal of the application filed by the plaintiff respondent, it appears that the



original voter list was produced. So far delay in marking of the document at the stage of argument is concerned, even though the provision as contained in Order 18 Rule 17A CPC has been deleted, the Court has the jurisdiction to mark or to receive the document in evidence for ends of justice. The Court below clearly recorded that the documents produced by the plaintiff respondents are necessary for the determination of the real controversies between the parties.

Thus, I find no reason to interfere with the impugned order in exercise of supervisory jurisdiction. Accordingly, this Civil Misc. application is dismissed.

(Mungeshwar Sahoo, J)

Sanjeev/-

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