

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WP No. 3118 of 2005**

Brij Mohan Agrawal, S/o Late Sanwal Ram Agrawal, Aged about 42 years,
Occupation- Business, R/o Baldev Bag, Tahsil and District Rajnandgaon
(C.G.) **---- Petitioner**

Versus

1. Jai Prakash Singhania S/o hariram Singhania, aged about 39 years,
Occupation – Buisness, R/o Takapara, Rajnandgaon (C.G.)
2. Kailash Bai W/o Ram Prasad Agrawal, aged about 38 years, R/o Ganjline,
Rajnandgaon (C.G.) **---- Respondents**

For Petitioner	:	Mr. Sumit Verma, Advocate.
For Respondents	:	None for the respondents.

Hon'ble Shri Justice Sanjay K. Agrawal**Order On Board****26/06/18**

1. Learned counsel appearing for the petitioner would submit that the learned trial Court has committed jurisdictional error in rejecting the application filed by the petitioner under Order 7 Rule 14(3) of C.P.C. by declining to take documents on record. He further submits that the said documents are the public documents and are very much necessary for just and proper disposal of the suit, therefore it ought to have been taken on record.
2. After hearing learned counsel for the petitioner and considering the fact that the documents were filed prior to recording of the plaintiffs witnesses and also the documents filed were in rebuttal and are public documents and are necessary for just and proper disposal of the suit, it would be expedient to allow the application filed by the petitioner under Order 7 Rule 14(3) of the C.P.C. subject to payment of cost of Rs.1,000/- payable to the defendants before the trial Court on the next date of hearing.

3. Accordingly, the writ petition is allowed and the impugned order to the extent of rejecting the application under Order 7 Rule 14(3) of C.P.C. is hereby set aside. However, the trial Court is directed to decide the suit expeditiously as the suit was filed on 24.08.1994. No cost(s).

Sd/-

(Sanjay K. Agrawal)

Judge