

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****WP227 No.365 of 2018**

Amit Kher Aged about 57 years, S/o Late Shri Chaman Lal Kher, R/o Blue Spot House, Behind Ashoka Tower, Shankar Nagar, Raipur, Chhattisgarh

----Petitioner**Versus**

1. Nirmala Devi Nathani, Aged about 83 years, W/o Late Hanuman Das Ji Nathani
2. Raj Kishore Nathani, Aged about 67 years,
3. Vinay Nathani, Aged about 62 years,
No.2 and 3 sons of Late Hanuman Das Ji Nathani
All 3 residents of Nathani Bhawan, Sadar Bazaar, Raipur, Chhattisgarh
4. State of Chhattisgarh, Through the Collector, Nazul Branch, Collectorate Compound, Raipur, Chhattisgarh

---- Respondents

 For Petitioner : Mr.Sumesh Bajaj, Advocate
 For Respondents No.1 to 3 : Mr.Ashish Surana, Advocate
 For Respondent No.4 : Mr.Avinash Singh, P.L.

Hon'ble Shri Justice Sanjay K. Agrawal**Order on Board****06/07/2018**

1. By the impugned order, the plaintiff's application under Order 7 Rule 14 of the Code of Civil Procedure has been rejected by the trial Court.
2. Learned counsel for the petitioner would submit that the trial Court has committed legal error in rejecting the application.
3. On the other hand, learned counsel for respondents No.1 to 3 would support the impugned order.

4. I have heard learned counsel for the parties, perused the impugned order and other documents appended with the writ petition.
5. The trial Court ought to have seen that the plaintiff's evidence has not yet commenced and the documents are certified copies of the pleadings filed in other suit which are necessary for just and proper disposal of the suit, therefore, the documents ought to have taken on record by the learned trial Court subject to payment of cost to the other side.
6. In view of that, the impugned order rejecting the application filed by the petitioner plaintiff under Order 7 Rule 14 of the CPC is hereby set aside. Certified copies of the documents are directed to be taken on record subject to payment of cost of ₹ 2000/- to the defendants within two weeks from today.
7. The writ petition is allowed to the extent indicated hereinabove.

Sd/-

(Sanjay K.Agrawal)
Judge

B/-