

THE HON'BLE SRI JUSTICE RAGHVENDRA SINGH CHAUHAN

CIVIL REVISION PETITION No.6791 of 2018

ORDER:

Aggrieved by the order, dated 05.09.2018 passed by I Junior Civil Judge, City Civil Court, Secunderabad, whereby, the learned Judge has dismissed the application filed by the petitioner under Order VII Rule 14(3) CPC, the petitioner has approached this Court.

It is the case of the petitioner that she had filed a suit for declaring her as lawfully wedded wife of respondent No.1 – Mr. B.S. Ravinder. During the course of trial, by order, dated 24.09.2018, the learned Civil Judge had closed the evidence of P.W.8, the alleged landlord, with whom the petitioner claimed that she and her husband stayed as tenants. Subsequently, in order to prove the fact that she was the lawfully wedded wife of respondent No.1, the petitioner had filed an application under Order VII Rule 14(3) CPC in order to bring on record the lease agreement, dated 12.12.2007, the original lease agreement, dated 20.03.2009, the property tax receipt, dated 26.04.2018 and the copies of the Aadhaar Cards of P.W.8 and his wife. However, by the impugned order, the learned Civil Judge has dismissed the application. Hence, the petitioner is before this Court.

Sri Praveen Kumar Challa, learned counsel for the petitioner, has raised the following contentions:-

Firstly, since the evidence of P.W.8 has been closed, it is imperative for the petitioner to bring on record the lease deed entered between P.W.8 and respondent No.1, the alleged husband. Secondly, the learned Civil Judge is unjustified in rejecting the application on the ground that the lease deeds are unregistered documents. Therefore, the impugned order should be set aside by this Court.

Heard the learned counsel for the petitioner.

Before a document is sought to be taken on record, it is imperative for the party to establish its relevancy to the controversy in issue. After all, irrelevant documents cannot be taken on record by the Court. The learned Civil Judge has fairly noticed that the property tax receipt pertains to house property No.12-7-111 and 89/1/103, whereas the property in which the petitioner claims to have resided with the alleged husband is house No.12-7-110/A. Thus, the property tax receipt does not relate to the property in which the petitioner claims she stayed with her husband.

Moreover, production of the lease deeds does not establish, by any stretch of imagination, the factum that the parties have

lived as lawfully wedded husband and wife. Therefore, production of the said documents would not buttress the case of the petitioner. Hence, the said documents are irrelevant to the issue in controversy.

Similarly, even production of Aadhaar cards pertaining to P.W.8 and his wife would not prove the fact that the petitioner is the lawfully wedded wife of respondent No.1. Therefore, the learned Civil Judge was justified in dismissing the application filed by the petitioner.

For the reasons stated above, this Court does not find any illegality or perversity in the impugned order.

This petition being devoid of merit is dismissed.

Miscellaneous Petitions, if any pending, shall stand dismissed. There shall be no order as to costs.

RAGHVENDRA SINGH CHAUHAN, J

23rd NOVEMBER, 2018.

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