

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WP227 No. 503 of 2019**

1. Chamar Rai Kanwar S/o Late Ghasiram Kanwar Aged About 69 Years R/o Village- Pausara, Tahsil- Katghora, District- Korba, Chhattisgarh.
 2. Ramnarayan Singh Kanwar S/o Chamar Rai Kanwar Aged About 47 Years R/o Village- Pausara, Tahsil- Katghora, District- Korba, Chhattisgarh.
- Petitioners**

Versus

1. State Of Chhattisgarh Through Collector- Korba, Tahsil And District- Korba, Chhattisgarh.
2. Tahsildar Katghora, District- Korba, Chhattisgarh.
3. Naib- Tahsildar Katghora, District- Korba, Chhattisgarh.
4. Revenue Inspector Block Katghora, District- Korba, Chhattisgarh.
5. Patwari Patwari Halka No. 15, Smt. Usha Dubey, Head Office- Banki Mongra, Tahsil- Katghora, District- Korba, Chhattisgarh.

---- Respondents

For Petitioners	:-	Shri Ashutosh Shukla, Advocate
For Respondent	:-	Shri Ravi Bhagat, Dy. G.A.

Hon'ble Shri Justice Prashant Kumar Mishra

Order On Board

26/06/2019

1. The trial Court has dismissed plaintiff's/petitioner's application under Order 13 Rule 10 of C.P.C. By the said application, the plaintiff/petitioner sought direction for production of the original record of the Court of Naib Tahsildar, Katghora.
2. In the impugned order itself the trial Court has observed that on an earlier occasion petitioner's/plaintiff's application under Order 7 Rule 14 of C.P.C. has been allowed and they have been permitted to produce the record of the Court of Naib Tahsildar, Katghora. It is also observed that since certified copy of all the documents are available in the record of the trial Court summoning of the record of the Revenue Court is not required.
3. Considering the reason assigned by the trial Court while refusing to allow plaintiff's/petitioner's application under Order 13 Rule 10 read with Section 151 of C.P.C., the present writ petition is disposed of with direction that in the event any of the document which is not available in the record of the trial Court is required to be proved by the plaintiff, he may move afresh before the trial Court or he may produce certified copies of other documents, however, for the documents of which certified copies are already available in the record of the trial Court such application shall not be entertained.

SD/-
(Prashant Kumar Mishra)
Judge