

IN THE COURT OF SMALL CAUSES AT MUMBAI

R.A.D. SUIT NO. 2136 OF 2008

ORDER REGARDING ADMISSIBILITY OF PLAINTIFFS'

DOCUMENTS AT EXHIBIT- 57 AND 65

1. These documents are filed by the plaintiffs with request to mark them Exhibit. It is opposed by the other side. I have heard both the sides. Document at Sr. No.1 is **rough sketch plan**. The witness is not author of the said sketch plan. As per Section 83 of Indian Evidence Act, the expert who prepared the plan must examine to prove such plan. So **said document cannot be exhibited**. Document at Sr. No. 2 are **copies of death certificates collectively**. Those being issued by the Government authorities be marked as **Exhibit (colly)**. Regarding **rent receipts**, witness is neither recipient nor author of the said rent receipts. So **those cannot be marked as Exhibit**. Same is the case with the **electricity bills**. So those documents cannot be marked as Exhibit. Regarding copies of **ration card, aadhar card, identity card issued by Election Commission of India** those are verified from original. Those are issued by the concern authority. So **those can be marked as Exhibit**. Accordingly, **those documents be marked as Exhibit separately**. As far as **document annexed with list Exh. 65**, it is not disputed. So **it is already marked as Exhibit**.

2. Matter be kept for cross-examination of P.W.1.

Date : 12.07.2023

[R. U. Shaikh]  
Judge, C. R. No.16