

In the court of Sh. Rajan Aneja, Civil Judge, (Jr. Div.), Amritsar.
Unique Identification No.PB0559

CNR no.PBAS020025552015

Case No. 182

Date of Institution : 23.5.2018-25.8.2016

Computer Reg. No. cs 4829/2018

Date of decision : 3.2.2021

The Kissan worker cooperative L&C Society

.....Plaintiff

Versus.

Amritsar Improvement Trust and others

.....Defendants

(Application under section 151 CPC)

Present: Sh. Vinay Khera, Adv., counsel for plaintiff
Sh. S.K. Dhawan, Adv, counsel for defendants

ORDER

1. This order of mine shall dispose off an application under section 151 CPC filed by counsel for plaintiff.

2. Brief facts of the application are that in the present case the application under order 11 rule 12,14 CPC was moved and the same was allowed by this Hon'ble court vide order dated 2.4.2019 thereby directing the defendants to supply all the documents mentioned in the application within one week. It is further averred that the defendant has not supplied the following documents in the said application.

- I. Document mentioned at serial no.VIII of the said application under order 11 rule 12 regarding the letter dated 16.10.2018 with diary no.4099 dated 16.10.2018.
- II. documents mentioned at serial no. IX the comparative statement prepared by the trust of the work in question before allotting the work.
- III Documents mentioned at serial no.5 the notice dated 12.3.2018.
- IV. The document mentioned at serial no.5 the record regarding receiving of

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earnest money. Lastly prayer was made for allowing the present application.

3. Upon notice, written reply filed by defendant in which he averred that as per directions of the Hon'ble court, all the documents which were in possession of the defendants, placed on the judicial file. It is denied that the Hon'ble Court directed the defendants to supply the documents to the plaintiff. There is no provisions under the CPC to supply the documents to the other party moreover, the clerk of the counsel of the plaintiff has already been collected from the office of the counsel of the defendants.

4. I have heard both the counsels for the parties and gone through the case file minutely.

5. Counsel for the applicant submitted that as per order dated 2.4.2019 passed by the undersigned, defendant department was directed to supply the documents to the plaintiff within week but he has not received the documents from the defendant. On the other hand counsel for the respondent/ defendant submitted that the clerk of the counsel has already collected the documents from his office. Order dated 2.4.2019 perused, in which directions were given to the respondent/defendant to supply the documents. Hence, present application stands disposed off with the direction to the defendant to submit all the documents which are in his possession in the court on the next date of hearing, otherwise he will not be allowed to produce the same at the later stage except with the permission of the court. Now to come up on 5.4.2021 for evidence of plaintiff.

Pronounced in open court
3.2.2021

(Rajan Aneja)
Civil Judge, Jr. Division
Amritsar
UID no.PB0559

Typed by Rajeev Kumar, stenographer
Gr.II on direct dictation.

The Kissam workers vs AIT 4831-2018

Present: Sh. Vinay Khera, Adv., counsel for plaintiff
Sh. S.K. Dhawan, Adv, counsel for defendants

Vide my separate order of even date the application under order 11 rule 12, 14,15 read with section 151 CPC is disposed off. Now to come up on 5.4.2021 for evidence of plaintiff.

Pronounced in open court
3.2.2021

(Rajan Aneja)
Civil Judge, Jr. Division
Amritsar
UID no.PB0559

Typed by Rajeev Kumar, stenographer
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