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MP-5353-2023

IN THE HIGH COURT OF MADHYA PRADESH  
AT JABALPUR

BEFORE

HON'BLE SHRI JUSTICE VIVEK AGARWAL

ON THE 27<sup>th</sup> OF MARCH, 2025MISC. PETITION No. 5353 of 2023*RAJESH KUMAR GARG**Versus**INDRAPRATAP SINGH AND OTHERS*

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Appearance:

*None for the petitioner.**Shri V.P. Tiwari - Government Advocate for the State.*  
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ORDER

This petition is filed by the petitioner challenging the order dated 25.08.2023 passed by learned 9th Civil Judge, Junior Division, Satna in Civil Suit No. RCS A No.2/2014 whereby the trial court has rejected an application under Section 151 of the CPC by which the prayer was made for taking his oral and documentary evidence on record.

The trial Court categorically noted a fact that in terms of the provisions contained in Civil Court Rules, 1961, Rule 146 (1), provisions of Order 18 Rule 2 of the CPC are mandatory. Defendant did not file any medical documents dated 18.08.2023 therefore, the application being not supported with the proper material, has been dismissed.

When impugned order is tested, then there is no illegality in the said order calling interference in supervisory jurisdiction of this Court. The petition fails and is dismissed.

(VIVEK AGARWAL)  
JUDGE



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