

**IN THE COURT OF ADDITIONAL DISTRICT & SESSIONS JUDGE VTH**  
**CIVIL COURT SIWAN**  
**Title Suit No. 4/2019**  
**CIS No. 4/2019**

**ORDER**

**03-03-2020**

Case called out.

Both applicant and the opposite party appeared.

The ld. Counsel for the plaintiff has submitted that the instant Title Suit 4/2019 is pending for evidence on behalf of the defendant but in the last three dates the defendant have not produced even a single witness and are seeking adjournments after adjournment on the same ground that the witness is sick. They have not filed any medical proof in support of their time petition. In such view the ld. Counsel prayed to close the evidence of the defendants.

The ld. Counsel for the defendants on the other hand prayed that on the last two dates the P.O was on C.L and on the preceding date as the witness was sick he had filed time petition seeking adjournment. The witness is ready to depose before the Court. And therefore prayed to accord one adjournment to produce the witness before the Court for examination.

Heard.

On perusal of the record it transpires that the evidence of the applicant was closed on 21.01.2020 and the record was fixed for evidence on part O.P on 28.01.2020. On the last three dates the defendant has not produced any witness. However, to arrive at just decision of the case it is essential that both parties be given opportunity to lead their evidences. Therefore in the interest of justice the time petition is allowed and the defendant is directed to produce evidence on next date, else proper order shall be passed.

Next date is fixed on **20.03.2020**.

**ADJ Vth**  
**Siwan**