

09-03-2026:

ORDER ON IA NOS.7 & 8

The plaintiff has filed the present IA No.7 under Section 151 of CPC and IA No.8 under Order XVIII Rule 17 of CPC to reopen the evidence of the plaintiff and to recall PW.1 for the purpose of marking the DNA report submitted by the Forensic Laboratory, which was obtained pursuant to the order passed by this Court on the application filed by the plaintiff himself.

The learned counsel for the defendant submits that he has no objections for allowing the applications.

Heard the learned counsel for the plaintiff and the learned counsels for the defendants.

On perusal of the application and the records, it reveals that pursuant to the order of this court the DNA test was conducted and the report has been submitted by the Forensic Laboratory in sealed cover. The said document appears to be necessary for

proper adjudication of the matter. If the opportunity sought by the plaintiff is not granted, it may cause prejudice to the case of the plaintiff. On the other hand, no prejudice will be caused to the defendants. If the application is allowed, as they will have an opportunity to cross-examine the witness with regard to the said document. In view of the above facts and considering that the defendants have no objection, this Court finds that it is just and proper to allow the applications. Hence, the following;

ORDER

IA No.7 & 8 are hereby allowed.

The evidence of the plaintiffs side is reopened.

PW.1 is recalled for the limited purpose of marking the DNA report issued by the Forensic Laboratory. The documents are at liberty to cross-examine PW.1 with regard to the said document.

Call PW.1 on the next date of hearing.

Senior Civil Judge, Bailhongal