

E. P No. 30/2002

Date : 26/06/2022

Dhr-by - VJG

Jdr-by - 1 MBR

Jdr- 2 by BRY

Jdr-3 absent.

For - order on I.A. no. 16

: ORDER ON I.A.No.16 :

The JDR-1 has filed this application under Order XVIII Rule 17 read with Section 151 of CPC., praying to recall the branch manager of DHR Bank to cross examine him as to the calculation sheet submitted by the parties in this case.

2. The application has been objected by counsel for DHR on various grounds.

3. Heard. Perused Records.

4. This Court after considering the memo of calculations filed by the parties and the documents placed on record, as per order dated 28/01/2022 determined the amount due to DHR, by the JDRs in this execution petition.

5. The JDRs have not challenged the said order dated 28/01/2022 passed by this court, till date. The JDRs instead of making payment of amount due, after lapse of so many days, has come up with this application to recall PW1/Manager of plaintiff-Bank to question him regarding memo of calculations submitted by the parties in this case, in Ex.P.No.29/2002 pending before this court

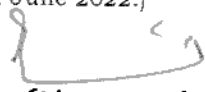
and in Ex.P.No.150/2003 before the Senior Civil Judge, Belagavi.

5. This Court has already determined the balance amount due to DHR by the JDRs under the Award. As such, reopening the matter for enquiry does not arise, at this stage. There is nothing remained in this case to enquire further. The application filed by JDR-1 is devoid of merits. No grounds acceptable in the eye of law are made out by JDR-1 to allow his application. Hence, I proceed to pass the following;

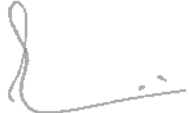
: O R D E R :

The application IA-16 filed by JDR-1 under Order XVIII Rule 17 read with Section 151 of CPC, is hereby dismissed.

(Dictated to the Stenographer, transcribed, typed by him, corrected, signed and then pronounced by me in the Open Court on this the 20th day of June 2022.)


(T.SRIKANTH)
Prl. Senior Civil Judge,
Chikodú

Issue arrest warrant to JDRs,
if PF paid. Returnable by
16/07/2022.


Prl. Sr. C.J., Chikodi.