

**IN THE COURT OF THE ADDL. CIVIL JUDGE & JMFC,  
AT: JAMKHANDI.**

**PRESENT**

**Smt.Shreedevi,**  
**B.Com LLB,**  
Addl. Civil Judge & JMFC,  
Jamkhandi.

**Dated this the 10<sup>th</sup> day of October – 2025**

**O.S. No.228/2022**

1. Shri.Amasidda S/o Sidaraya Lonar @ Lonari,  
Age: 38 years, Occ: Agriculture,  
R/o. Gadyal village,  
Tq: Jamkhandi, Dist: Bagalkot  
.....Plaintiff.

**(By Shri.D.T.B., Advocate)**

**- Vs -**

1. Shri.Adivappa S/o Bandu Lonari @ Lonar,  
Age: 63 years, Occ: Agriculture,  
R/o. Gadyal village,  
Tq: Jamkhandi, Dist: Bagalkot  
and Others.  
.....Defendants.

**(D-1 to D-3 - By Shri.G.I.H., Advocate)**

**PARTIES TO I.A.No.VII TO IX**

1. Shri.Amasidda S/o Sidaraya Lonar @ Lonari,  
.....Applicant/(Original Plaintiff).

**- Vs -**

1. Shri.Adivappa S/o Bandu Lonar @ Lonari,  
and Others,

.....Opponents/Original Defendants.

Sl. No.	Details	Particulars
1	Provision under which the application is filed	1) <u>I.A. No.7.</u> Under Section 151 of CPC. 2) <u>I.A. No.8.</u> Under Order XVIII Rule 17 R/w Section 151 of CPC. 3) <u>I.A. No.9.</u> Under Order VII Rule 14 R/w Section 151 of CPC.
2	Relief sought for	Reopen plaintiff side evidence. To recall of PW-1 To produce documents
3	The date on which the application is filed	12-08-2025 12-08-2025 12-08-2025
4	Number of the applications	I.A.No.VII I.A.No.VIII I.A.No.IX
5	Stage of the case	For arguments
6	The date on which the objections are filed by the different opponents	01-07-2025. 01-07-2025. 01-07-2025.
7	The date on which the orders were passed on the said application/s.	10-10-2025

**COMMON ORDER ON IA NO.7 TO 9**

The counsel for plaintiff has filed the application under Section 151 of CPC at IA No.7, application under Order XVIII Rule 17 R/w Section 151 of CPC at IA No.8 and application under Order 7 Rule 14 R/w Section 151 of CPC at IA No.9 praying to reopen plaintiff side evidence and to recall of PW-1 and to produce documents as per list.

2. In the affidavit annexed to the applications, plaintiff has submitted that in order to prove his case he is producing documents which are notice copy, mutation entry, records of rights and other documents. The said documents have been traced out recently. The said documents are important and material and relevant documents to decide his case. If the applications are allowed no hardship will be caused to other side. Hence, prayed to allow the applications.

3. In-spite of being an opportunity given the defendants have not filed their objections to the I.A.No.7

to 9. Hence the objections to I.A. No.7 to 9 is taken as not filed.

4. On the basis of the pleadings and applications the following points arise for determination:-

1. Whether the plaintiff has made out sufficient grounds to reopen the plaintiff side evidence, to recall PW-1 and to produce the documents?

2. What Order?

5. Heard counsel appearing for the plaintiff and defendants. Perused the available material on record and my findings on the above points are as below;

**Point No.1:-** In the Affirmative.

**Point No.2:-** As per final order for the following;

**:: R E A S O N S ::**

6. **Point No.1:-** The plaintiff has filed the present suit for the relief of Specific Performance of Agreement of Sale against the defendants.

7. The present applications are filed by plaintiff praying for reopening the plaintiff side evidence and to recall

PW-1, on the ground that, he has traced out relevant documents which are relevant to this case and which are necessary to decide the dispute between the parties.

8. In this case, both the plaintiff and the defendants are required to prove their case by examining witnesses and producing documents before this Court. The every party should be given an opportunity to prove their case. The reasons assigned by plaintiff appear to be satisfactory. Therefore, in order to avoid multiplicity of proceedings, I find it just and proper to provide an opportunity to plaintiff to produce the necessary documents and adduce evidence. The defendants shall have the liberty to cross-examine plaintiff on the said documents. Accordingly, the above Point No.1 answered in the '**Affirmative**'.

9. **Point No.2:-** In the aforesaid reasons, this court proceeds to pass the following;

**: O R D E R :**

I.A.No.7, 8 and 9 filed by the plaintiff under Section 151 of CPC, under Order 18 Rule 17 R/w Section 151 and

under Order 7 Rule 14 R/w Section 151 of CPC are hereby allowed on cost of Rs.200/-.

Accordingly, the stage of plaintiff side evidence is reopened and PW-1 is recalled and plaintiff is permitted to produce documents as per list.

*(Dictated to the Stenographer directly on computer and typed by him, and corrected, printout taken, signed by me and then pronounced in the open court on this the **10<sup>th</sup> day of October - 2025**)*

**Sd/-  
(Smt.Shreedevi),  
Addl. Civil Judge & JMFC,  
Jamkhandi.**