

19.08.2023

O.S.No.288/2007

ORDERS ON IA NO.16 TO 20

I.A.No.16, 17 & 10 are filed by the legal heirs of plaintiff by seeking recall of the stage for adduction of further evidence and to mark documents by way of recall of the stage.

The I.A.No.18 & 19 are filed by the defendants No.1 & 2 by seeking permission to recall the evidence of the DW.1 which has been discarded for his non-appearance by Order dated 06.07.2022.

I have heard rival parties and by considering the conduct of the DW.1 though, I was disinclined to allow the I.A.No.18 & 19 but, the prudence dictate me to allow the parties to adduce their evidence by giving every opportunities which are in my disposal.

Therefore, without going to consider the merits of I.A.No.16 to 20, all the above applications are

allowed only to enable both the parties to submit all such evidence and documents they rely in the case in order to curb second round litigation.

Therefore, the case is posted for furnishing amended plaint in two sets, further evidence of legal heirs of plaintiff and cross examination of the DW.1 on 20.09.2023.

**Prl. Senior Civil Judge & J.M.F.C.
Devanahalli.**