

**IN THE COURT OF SENIOR CIVIL JUDGE AND JMFC AT  
HIRIYUR**

Dated on this 27<sup>th</sup> day of June 2026

Present: SMT. SUJATHA SUVARNA B.,  
B.Com., LL.B.,  
Senior Civil Judge & JMFC,  
Hiriyur

**MVC.NO.4/2013**

**Plaintiffs**

:

**1. Lakshmana**

S/o. Late. Thimmabhovi @  
Thimmanna,  
Aged about 45 years,  
Agriculturist,  
R/o Hoovinahole village & Post,  
Hiriyur Taluk,  
Chitradurga District.

[Rep. By Sri.S.E., Advocate]

Vs

**Defendants**

:

**1. M.Sundar**

S/o Marada Chalam, Major,  
R.C.owner of TATA Ace bearing  
Reg.No.AP-16-B-4137,  
R/o Maskal Matti Village,  
Maskal Post, Hiriyur Taluk,  
Chitradurga District.

(By Sri.R.B.R., Advocate)

**2. The Manager,**

Reliance General Insurance  
Co.Ltd.,  
1<sup>st</sup> Floor, Maganur Complex  
B.D.Road,  
Near KSRTC Bus Stand,

Chitradurga Taluk & District.

(By Sri.B.M.Ravichandra Advocate)

**RANK OF THE PARTIES ON IA MVC No.4/2013**

Applicant / Respondent No.2 : The Manager,  
Reliance Gen.Ins.Co.Ltd.,

**- Vs-**

Opponent/ Plaintiff : Sri.Lakshmana

|     |                                                                  |                                                          |
|-----|------------------------------------------------------------------|----------------------------------------------------------|
| i   | Provision under which the application are filed                  | U/o 18 R 17 of CPC., & U/S.151 of CPC.,                  |
| ii  | Relief sought for                                                | To reopen & recall the RW2 for further cross-examination |
| iii | The date on which the application are filed                      | 11.06.2026                                               |
| iv  | Number of the application                                        | 17 & 18                                                  |
| v   | The date on which the objections are filed by different opponent | 19.06.2026                                               |
| vi  | The date on which the orders were passed on the said application | 27.06.2026                                               |

**ORDERS ON IA No.17 & 18**

The respondent No.2 has filed IA. U.Sec.151 of CPC and IA U/o 18 Rule 17 CPC and prays to reopen the case and recall the RW2 for the purpose of further cross examination as prayed in the application.

2. Per contra the respondent No.1 filed objections and prayed to reject the application as reasons mentioned in the objection.

3. Heard the arguments from both side and perused the records.

4. The points that arise for my consideration is as follow:

1. Whether the respondent No.2 has made out sufficient grounds to recall & reopen the case for the purpose of further cross examination of RW2?

2. What order ?

5. My answer to the above points are as follows :

Point No.1 - In the affirmative

Point No.2- As per the final order,  
for the following,

### **REASONS**

**6. Point No.1:** In support of the application, learned counsel for the respondent No.2 has filed memorandum of

facts and stated that, the respondent No.2 counsel has obtained documents in CC No.169/2013 before Hon'ble Addl.Civil Judge and JMFC, Hiriya and for the purpose of confronting it is very necessary to recall the RW-2 for the purpose of further cross examination. As per the contention of the respondent No.1 it is not necessary to recall the R.W.2 for cross examination by the RW.1.

7. Admittedly, it is trial Court. Being a trial court it is just a necessary to give sufficient opportunity to the respondent No.2 to cross examine the R.W.2. If these applications are not allowed, it may cause hardship to the respondent No.1. However, matter is from the year of 2013. Accordingly this court is answers point No.1 in the Affirmative.

**8. Point No.2** :- In view of the findings on the above point, I proceed to pass the following:

**ORDER**

IA.No.17 & 18 filed by the respondent  
No.2 U.Sec.151 of CPC and U/o. 18 Rule 17 of  
CPC are hereby allowed.

(Dictated to the Stenographer directly on the computer, corrected,  
initialed and then pronounced by me in open court on this 27<sup>th</sup> day of  
June 2026)

(SUJATHA SUVARNA B.),  
Senior Civil Judge & JMFC.,  
Hiriyur.