

COMMON ORDER ON I.A.NO.II AND III

The counsel for plaintiff has filed I.A.No. II under order 151 of C.P.C. seeking permission of this court to re-open the stage and also I.A No- III U/o 18 R-17 of CPC to Re-call the PW.1 for marking the document of his side.

2. In the accompanying affidavits of both application the plaintiff submitted that, the case is posted for cross examination of PW.1, that the above document is not marked by oversight, Hence permit the plaintiff to mark the same by re-opening the stage . Those documents are very necessary to prove his contention. Hence it is just and necessary to re-call plaintiff and permit him to lead

his further evidence and prayed to allow the application.

3. The counsel for defendant has not filed any objection to I.A.No.II and III and submits to allow the application on cost.

4. Heard on the application. Perused the materials available on record the present case is now posted for cross of PW-1. Plaintiff is present for further evidence to prove his contention. Hence, at this stage it is necessary to give an opportunity for further chief of plaintiff to adjudicate the matter and to avoid multiplicity of proceedings and also in the interest of justice it is just and necessary to allow this applications.

5. Hence, I proceed to pass the following;

ORDER

The I.A.No. II Sec.151 of C.P.C. and I.A No-III filed by the defendants Under Order 18 Rule 17 of C.P.C. is hereby allowed on cost of Rs.100/-.

Stage is reopened and PW-1 is recalled.

For Further chief of PW.1 finally by: 31.01.2024.

Sd/-

1st ACJ & JMFC, Kadur.