

ORDERS ON I.A.NO.V

The present application has been filed by the defendants under Order XVI rule 1(3) of Code of Civil Procedure seeking to condone delay in file of this application and to issue summons to the witnesses in the list.

2. The contention raised by the defendants in the said application is that, due to the reason beyond their control, they could not file the list of witness within the prescribed time. Further states that, the delay in filing the same neither deliberate nor intentional.

3. On the other hand, plaintiff filed his objection by stating that the application filed by the defendants is only to drag the proceedings and the application is belated one. Hence the present application need not to be filed at this state and prays to reject the application.

4. Heard the arguments of both parties.

5. This is the suit for injunction. On perusal of the application, even though the reason stated by the defendants does not satisfies this court, in the interest of justice and equity this court feels it necessary to allow the application. Hence this court proceed to pass the following;

OS No.18/2022

ORDER

**I.A.No.V filed by the defendants
U/Order XVI rule 1(3) of CPC, is
hereby allowed.**

**The defendants is permitted to
examine the witness.**

**Issue witness summons to the
witnesses mentioned in the list.**

Call on. 25.09.2025

Sd/-

Addl. Civil Judge & JMFC.,
Mudigere.