

ORDERS ON I.A.NO.XIV

The present application filed by the defendant 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 defendant in the said application is that, due to inadvertence, oversight and bonafide mistake the defendant could not able to 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, learned counsel for plaintiff submits no objection to the present application.

4. Heard the arguments.

5. This is the suit for declaration and partition. On perusal of the application, even though the reason stated by the defendant 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;

ORDER

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

OS No.110/2026

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

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

Call on. 24.06.2026

Sd/-

I Addl. Civil Judge & JMFC.,
Mudigere.