

COMMON ORDERS ON I.A.NO.XI AND XII

The present application has been filed by the plaintiff under Order XVIII Rule 17 R/w Sec.151 along with 151 of C.P.C seeking permission of this court to recall and reopen the evidence of PW1 for the purpose of leading cross examination.

2. Wherein the applications the learned counsel for plaintiff contends that due to mistake of the PW1 he could not able to appear before this court in order to tender his cross examination and prays to allow the application.

3. On the other hand, learned counsel for defendants submits no objection to the present applications.

4. Heard both the parties and perused the material placed on records.

5. When matter has been posted for further plaintiff evidence, the plaintiff has come up with the applications by stating that, due to oversight and mistake the PW1 could not able to appear before this court. Even though the reason stated by the plaintiff is not sufficient in order to avoid the multiplicity of the proceedings and in the interest of justice it is necessary to provide opportunity for the PW1 to tender his cross examination. In view of

OS No.12/2017

above said reason this court proceed to pass the following;

ORDER

I.A.No.XI and XII filed by the plaintiff under Order XVIII Rule 17 R/w Section 151 of CPC and Section 151 of CPC, are hereby allowed.

PW1 is hereby permitted to tender his cross examination for appearance of PW1.

Call on:26.02.2026.

Sd/-

**I Addl. Civil Judge & JMFC.,
Mudigere.**