

### **ORDER ON I.A.NO.XVI**

The present application has been filed by the plaintiff under Order 18 Rule 17 R/w Sec.151 of C.P.C seeking permission of this court to recall the PW1 and permit them to lead his further evidence.

**2.** On the other hand, defendants submits no objection to the present application.

**3.** Heard both the parties and perused the material placed on records.

**4.** When matter has been posted for further plaintiff evidence, the plaintiff has come up with the application by stating that, due to unavoidable circumstances PW1 could not able to appear before this court in order to tender his cross-examination. Hence requested to allow the application.

**5.** On the other hand defendants submits no objection to the said application.

**6.** On perusal of the application, even though the reason stated by the plaintiff is not sufficient in order to avoid the multiplicity of proceedings and in the interest of justice it is necessary to provide an opportunity for the plaintiff to tender his cross-examination. In view of above said reason this court proceed to pass the following;

OS No.114/2019

**ORDER**

**I.A.No.XVI filed by the plaintiff under Order 18 Rule 17 of CPC, is hereby allowed.**

**By recalling the PW1 and PW1 is here by permitted to lead his further chief examination and also permitted to cross examination.**

**Call on:06.03.2026.**

Sd/-

I Addl. Civil Judge & JMFC.,  
Mudigere.