

ORDER ON I.A.NO.III

The present application is filed, when the matter was posted for further cross examination of PW-1.

2. The present IA No.III filed by the plaintiff under Order XVIII rule 17 of CPC, seeking to recall the PW-1 for further-chief examination of PW-1.

3. In the said both application, it is stated by the plaintiff that, the plaintiff has produced the documents along with IA was allowed by this court as per order dated 15/09/2025 and to mark the said documents, now the plaintiff has filed the present application seeking permission for further chief-examination of PW-1. Therefore, plaintiff prayed to allow the present application.

4. On the other hand, the defendant submits no objection to IA No.III filed by the plaintiff.

5. Heard on IA No.III.

6. The present suit is filed by the plaintiff against the defendant for the relief of recovery of money. IA No.III is filed by the plaintiff to recall the PW-1 for the purpose of Chief examination of PW-1. I have carefully perused the record. The order sheet reflects that, when the matter is posted for further cross examination of PW-1, the plaintiff has filed the present application. It is the general principle that widest opportunity should be given to the parties to prove their case in the trial court. Hence,

I am of the opinion that, if the plaintiff is recalled for his further chief-examination, no hardship will be caused to defendant. To avoid multiplicity of proceedings this court inclined to allow the application filed by the plaintiff. In view of my above discussion, I proceed to pass the following;

ORDER

The IA No.III filed by the plaintiff Under order XVIII rule 17 of CPC is hereby **allowed.**

PW- 1 is recalled.

Call on for further chief-examination of
PW-1 04/11/2025

Civil Judge & J.M.F.C,
Sullia, D.K.