

23.04.2025

ORDER

The applicant/1st defendant filed instant application U/o 18 rule 17 R/w Sec.151 of CPC to reopen the case from argument to evidence of defendant No.1.

Other side has filed objection.

On perusal of entire materials on record, the suit is filed for partition and separate possession. Now the suit is adjourned for argument. By this time applicant come up with these instant applications. The contention of opponent is that, in order to drag the proceedings and to fill up the lacuna in case, applicant come up with these instant applications. It is significant to note that, if applications are not allowed applicant would be frustrated from proving her defence. More over if applications are allowed no such hardship would be caused to other side and other side would be given an opportunity to do cross examination of defendant No.1 and delay can be met by imposing cost of Rs.5,000/-.Therefore, I proceed to pass the following order:

ORDER

***Applications which are filed
under Order 18 Rule 17 of CPC
and Sec.151 of CPC are hereby
allowed on cost of Rs.5,000/-.***

***It is hereby reopened the
case for evidence of defendant
No.1.***

Senior Civil Judge and JMFC.,
Channarayapatna