

06.03.2025

ORDER

The applicant/plaintiff has filed instant application U/o 18 rule 17 R/w Sec.151 of CPC seeking recalling of PW2 and PW3 for the purpose of cross examination by defendant side counsel.

Other side has filed objection.

On perusal of entire materials on record, the suit is filed for specific enforcement of contract. 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 case. 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 PW-2 and PW-3 and delay can be met by imposing cost of Rs.1,000/-.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.1,000/-.

***PW-2 and PW-3 are recalled to
get them for cross examination.***

Call on

Senior Civil Judge and JMFC.,
Channarayapatna