

IN THE COURT OF CIVIL JUDGE AND JMFC AT
HOLENARASIPURA

Present:- Sri. Chandrashekhara.P.Diddi, B.A., LL.B,
Civil Judge and J.M.F.C,
Holenarasipura.

Dated this the 30th day of November, 2016

O.S.No.134/2008

Between

Rani and others : Plaintiffs

(By Sri.B.N.R.,Adv.,)

V/s

Chikkamallamma and others : Defendants

(D1 & 2 By Sri.P.D.D.,Adv.,
D3, 6 to 11 By Sri.H.S.A.,Adv.,
D12 By Sri.R.S.,Adv.,
D4 & 5 Ex-parte)

ORDERS ON IA-XXII

Rani : Applicant/Plaintiff no.1

V/s

Chikkammallamm and others : Defendants

ORDERS ON IA-XXII

The plaintiff no.1 has filed IA.No.XXII under order 16 rule 1
and 2 of C.P.C seeking permission to lead the evidence of the
witnesses as mentioned in the application.

2. In the accompanying affidavit of IA.No.XXII the plaintiff no.1 submitted that the witnesses as mentioned in the application are very much necessary for proving the case of the plaintiff. If the application is allowed no harm or loss will be caused to the defendants. On the other hand if the application is dismissed the plaintiff will be put to untold hardship. Hence prays for allowing the application.

3. The defendants' counsel present and submitted that the application may be allowed.

4. Heard the argument of both the counsels.

5. The point that arises for my consideration is as follows.

1. Whether the application filed by the plaintiff no.1 is deserves to be allowed and what order?

6. I answer the above point is as follows.

Point No.1:- In the affirmative.

as per the final orders for the following reasons.

REASONS

7. **Point No.1:-** I have gone through application averments. In the application the plaintiff no.1 submitted that the witnesses as mentioned in the application are very much necessary for proving the case of the plaintiff. If the application is allowed and permitted the

plaintiff to lead the witnesses evidences no harm or loss will be caused to the defendants. Hence in the interest of justice the application filed by the plaintiff no.1 is deserves to be allowed. Accordingly I answer the above point in the affirmative. For the above stated reasons I proceed to pass the following order.

::O R D E R::

IA. No. XXII filed by the plaintiff no.1 under order 16 rule 1 and 2 of C.P.C is hereby allowed.

Issue SS to the witnesses as mentioned in the application.

No order as to cost.

(Dictated to stenographer and transcribed by her revised and corrected by me then pronounced in the open court dated this 30th day of November, 2016)

**(Chandrashekhara.P.Diddi)
Civil Judge and J.M.F.C,
Holenarasipura.**