

**COMMON ORDERS ON IA U/O 18 R 17
OF CPC AND SECTION 151 OF CPC AND
IA UNDER ORDER 7 RULE OF 14 OF
CPC FILED BY THE PLAINTIFFS (IA
NO. 16 TO 18)**

These applications are filed by plaintiffs when the matter is posted for arguments. The plaintiffs have filed these applications to reopen and recall the stage for the purpose of adducing further chief examination of PW-1 by producing the documents.

In the plaintiff No.1 has deposed that they have filed the present suit for the relief of partition and separate possession. At the time of evidence, the plaintiffs could not secure some important documents and produce the before the court. Now, recently they have obtained the documents from concerned authorities, which are very much necessary to this case. It is very much necessary to recall the stage and adduced and further chief examination of PW-1 in order to prove their case. On the other hand, the plaintiffs will be put to irreparable loss and injury if the application is not allowed. Accordingly, prayed to allow the applications.

The defendants have filed objections and contended that, the plaintiffs have adduced evidence and the matter is posted for arguments. The plaintiffs have filed these applications only to cause harassment to the defendants. Hence, the present applications are not maintainable. The plaintiffs have not

shown valid reasons to allow the applications. Accordingly, prayed to dismiss the applications.

Heard arguments. Perused the records.

It can be seen from the order sheet that the plaintiffs have adduced the evidence. When the matter is posted for arguments, they have filed these applications to reopen and recall stage to adduce further chief examination of PW-1.

However, by looking into the said facts, this court is of the opinion that if the application is not allowed, it may cause great hardship to the plaintiffs. On the other hand, the delay caused by the plaintiffs can be compensated by imposing costs. Hence, this court is inclined to allow the application.

Accordingly, applications filed by plaintiffs U/O 18 R 17 of CPC and section 151 of CPC and under order 7 Rule 14 of CPC are hereby allowed on cost of Rs. 800/-.

For further chief examination of PW-1.

Prl. Civil Judge and JMFC,
Sakaleshpura.