

**IN THE COURT OF THE CIVIL JUDGE & J.M.F.C.,  
HANGAL**

**PRESENT: Smt.Aishwarya Chidanand Pattanshetti, B.COM, LL.M.,  
Civil Judge & J.M.F.C., Hangal.**

**O.S.No.166 of 2015**

**DATED THIS THE 16<sup>th</sup> DAY OF DECEMBER 2025**

**Plaintiff** : Rudrappa S/o Basappa Devagiri  
Age: 46 years, Occ: Agriculturist  
R/o: Haravi, Tq: Hangal, Dist: Haveri.  
Now at Ijarilakmapur, D.C.Office road,  
Haveri, Tq: & Dist: Haveri.

**(By Sri.S.V.Muradannanavar – Adv.)**

**V/s.**

**Defendant** : Gadigeppa S/o Kalaveerappa Devagiri  
Age: 61 years, Occ: Rtd Employee  
R/o: Haravi, Tq: Hangal, Dist: Haveri.  
Now at Kottigeri-Mundagod road,  
Bankapur, Tq: Shiggaon, Dist: Haveri.

**(By Sri.M.S.Hullur - Adv.)**

**PARTIES TO I.A.No.XXI**

**Applicant/  
Plaintiff:** Rudrappa S/o Basappa Devagiri

**- V/s -**

**Opponent/  
Defendant:** Gadigeppa S/o Kalaveerappa Devagiri

I	Provision under which the application is filed	U/Sec.151 of C.P.C.,
II	Relief sought for	To record evidence through video conference
III	Date on which the application is filed	27-08-2024
IV	Number of application	I.A.No.XXI
V	The date of which objections filed by the different opponents	05-09-2024
VI	Date on which the order was passed on said application	16-12-2025

**(Smt.Aishwarya Chidanand Pattanshetti)**  
**Civil Judge & JMFC.,**  
**Hangal.**

**ORDER ON I.A.No.XXI**

The applicant/plaintiff has filed I.A.No.XXI U/Sec.151 of C.P.C., seeking permission to adduce evidence of the Court Commissioner through video conference in the interest of justice and equity.

2. In the affidavit annexed to the application, the applicant/plaintiff deposed to the facts that in the present case agreement of sale marked as Ex.P4 and in the said agreement of sale the disputed signature of defendant was sent to hand writing expert for examination. Therefore,

Sri.Shankarappa Murala, Truth Lab, Bengaluru has submitted his report and further to adduce his evidence this Court issued summons to Sri.Shankarappa Murala. In the meanwhile, due to ill-health of Sri.Shankarappa Murala, he was unable to be present before the Court to adduce his evidence and as such, sought permission to record the evidence of Sri.Shankarappa Murala through video conference. If the application is not allowed plaintiff will be put to heavy loss and injury and no prejudice caused to the defendant. On said grounds, it is prayed to allow the application.

3. This application is resisted by counsel for the defendant by filing objection inter alia among various grounds. It is contended in the objection that the application is not tenable either in law and facts and the defendant deposed that the report of Sri.Shankarappa Murala, Truth Lab, Bengaluru is created and concocted one and if Sri.Shankarappa Murala was suffering from ill-health, it is not possible to submit the report to this Court and as such, Sri.Shankarappa Murala has submitted wrong report and to escape from adducing evidence before this Court the present application has been filed. On the said grounds, the defendant has prayed to dismiss the application with costs.

4. Heard the arguments of the learned counsel for the plaintiff and learned counsel for the defendant. Perused entire materials available on record at this stage.

5. The points that would arise for consideration of this court are as follows:-

**POINTS**

**1. Whether the applicant/plaintiff has made out grounds to allow IA.No.XXI at this stage?**

**2. What order?**

6. The findings of this court on aforesaid points are as follows:-

**Point No.1 : In the Affirmative,  
Point No.2 : As per final order  
for following:-**

**REASONS**

7. **Point No.1:-** Apparently, the plaintiff has filed this suit against the defendant for specific performance and permanent injunction and such other reliefs in respect of the suit schedule property. And when the matter was posted for hearing on IA.No.20 finally the present application has been filed by the plaintiff and opposed by the defendant.

8. The ordersheet reveals that IA.No.20 was filed by the plaintiff under Order 16 Rule 3 R/w Section 151 of CPC on 11.12.2023 to issue witness summons to the Hand

Writing expert, Truth Lab, Bengaluru for evidence. Further the records reveals that before the filing of the said application as IA.No.20, witness summons was issued to the said expert and on 27.07.2023 the Director of Truth Labs, Bengaluru sent a letter alongwith medical report seeking permission for video conference to adduce evidence.

9. The present application was filed under section 151 of CPC i.e inherent power of the court and it may be exercised by a court to do full and complete justice between the parties before it. It is pertinent to note that, principle of nature justice requires that all possible opportunities shall be extended to the parties to lis to establish their case. For the reasons stated in the affidavit and by taking into consideration of nature of suit, it is proper to permit the said expert to adduce his evidence through Video Conference. With these observations, I answer ***Point No.1 in the Affirmative.***

10. **Point No.2**:- In the light of aforesaid reasons and discussions, this court has proceed to pass following:-

**ORDER**

***I.A.No.XXI filed by the plaintiff Under section 151 of CPC is hereby allowed on cost of Rs.200/- and Sri.Shankarappa***

***Mural, Truth Lab, Bengaluru is hereby permitted to appear for evidence through video conference in respect of Ex.P4.***

*(Dictated to Stenographer, directly typed by him on computer, once revised, corrected and later initialed by me and then pronounced by me in the open court on this the 16<sup>th</sup> day of December - 2025)*

**(Smt.Aishwarya Chidanand Pattanshetti)  
Civil Judge & JMFC.,  
Hangal.**