

ORDER ON I.A.No.III

The objector has come up with this application under Order 18 Rule 17 of CPC seeking permission to lead his evidence on his application filed under order XXI rule 97 of CPC.

2. The application is resisted by the DHR by filing his objections.

3. Heard the arguments of both the counsels on the application and perused the entire records.

4. This petition arises out of the award dated 27.02.2018 passed by the arbitral tribunal. It is a fact that the applicant had filed I.A.No.I under order XXI rule 97 of CPC as an objector on 14.09.2021 and the said application came to be dismissed on 21.06.2022. In spite of posting the matter for enquiry and also evidence on I.A.no.I, the objector has not come forward to lead evidence. The counsel for the objector has not come forward to address the arguments on I.A.No.I. After hearing the counsel for DHR on the application filed under order XXI rule 97, the same came to be dismissed on 21.06.2022. After passing the order on I.A.No.I in the morning session, the counsel for the objector has got advanced the case on board at 3.30 P.M. and filed the present application. In view of disposal of I.A.No.I filed by the objector under order 21 rule 97, the present application has become infructuous and not maintainable. Hence, I proceed to pass the following;

ORDER

I.A.No.III filed by the applicant/objector
under order 18 rule 17 of C.P.C dated 21.06.2022
is hereby dismissed.

**[SUNIL A SHETTAR]
LXXXVI ADDL. CITY CIVIL JUDGE
BENGALURU CITY.**