

Order on I. A.No.XVI to XVIII

The I.A.No.XVI is filed by the defendant No.2 U/S 151 of CPC to re-open the case, I.A.No.XVII is filed U/O 18 Rule 17 of CPC to re-call the DW-1 for his further examination in chief and I.A.No.XVIII is filed U/O 8 Rule 1(a) of CPC to receive the documents produced along with application.

2. All the applications are supported by the affidavit of defendant No.2 and it is sworn that the defendants have secured some important documents recently and marking of said documents are very much necessary to prove the defence of the defendants. Hence prayed to allow the applications.

3. The counsel for the plaintiff has submitted that

the applications may be allowed with cost.

4. Heard the arguments of counsel for both parties.

5. The counsel defendants have filed applications to reopen the case to lead further evidence of DW-1. It is stated in the affidavit accompanying to the application that some relevant documents are secured at present and marking of said documents are very much necessary to prove the defence. By considering the reasons stated in the application, one more opportunity should be given to the defendants to mark the said documents. Hence this court proceeds to pass the following:

ORDER

The applications I.A.No.XVI to XVIII filed by the defendants U/sec 151 of

**CPC, U/O 18 Rule 17 of
CPC and U/O 8 Rule 1(a) of
CPC are hereby allowed
with the cost of Rs. 200/-.**

**The DW-1 is hereby
recalled for his further
evidence. The documents
produced along with the
application are hereby
taken on record.**

**For further chief
examination of DW-1.**

Call on:13.03.2024.

**(Sandesh Prabhu. B)
Senior Civil Judge & J.M.F.C
H.D.Kote**