

KAMS310007102016



**IN THE COURT OF I ADDL. CIVIL JUDGE & JMFC,
HUNSUR**

DATED THIS THE 20th DAY OF JULY, 2026

:PRESENT:

**SMT. NAMRATA S HOSMATH, B.A., LL.B.,
I ADDL. CIVIL JUDGE & JMFC,
HUNSUR.**

O.S.No.183/2016

<u>PLAINTIFFS:</u>		Boramma & others
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// Vs //

<u>DEFENDANTS:</u>		Doddattammanayaka & others
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PARTIES TO I.A. NO.VII

APPLICANT	:	Javarayanayakaplaintiff No.2
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V/s

OPPONENT	:	Doddattammanayaka & othersdefendants
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i	Provision under which the application is filed	U/O XVI Rule 1 and 2 of CPC
ii	Relief Sought for	To condone the delay and to permit the plaintiff by furnishing list of witnesses
iii	The date on which the application is filed	16.07.2026
iv	Number of the application	VII
v	The date on which the objection is filed by opponent	20.07.2026
vi	The date on which the order was passed on the said application	20.07.2026

ORDERS ON I.A. NO.VII

IA No.7 is filed by the plaintiff No.2 U/O XVI Rule 1 and 2 of CPC to condone the delay and by furnishing list of witnesses.

2. In the affidavit annexed to the application, it is averred that the witnesses furnished will aid to prove the plaintiff's right over the suit schedule property and the said witnesses are necessary to prove the instant case. Hence, the plaintiff has sought condonation of delay in filing witness list and prays to allow the IA.

3. In the objection filed by the defendants it is stated the present application is not maintainable and that the plaintiff has not made any ground to allow IA. It is further contended that the present application is filed with an

intention to drag the proceedings. It is stated that the plaintiff has already furnished witness list. Hence, prays to dismiss the IA.

4. Perused the materials on record, the following points arise for my consideration;

- 1) Whether the IA No.7 deserves to be allowed?
- 2) What order?

6. My findings on the above points are as under:-

Point No.1 : In the Affirmative

Point No.2 : As per final order

for the following

REASONS

7. **Point No.1:-** Perused the materials on record, in the instant suit the matter is posted for further chief of PW.1. Hence the stage is in plaintiff evidence itself. As the IA is sought is only for leading additional evidence it will not cause prejudice to other side. On the other hand it would enable the court for effective adjudication of the lis. Thereby noting the same the IA needs to be allowed to meet the ends of justice. However IA may be allowed by duly compensating the other side. Hence, I answer Point No.1 in the **Affirmative**.

8. **Point No.2:** In view of aforesaid discussions, this Court proceed to pass the following;

ORDER

IA No.VII U/O XVI Rule 1 and 2 of
CPC filed by the plaintiff No.2 is
allowed. Witness list taken on record.

(Dictated to the Stenographer directly on computer, typed by her, revised, corrected and then pronounced by me in the open Court on this day, the **20th July 2026**)

(NAMRATA S HOSMATH)
I Addl. Civil Judge & JMFC.,
Hunsur