

OS 12/2020

The Counsel for defendant No.8 has filed application Under Order 18 rule 17 of CPC. Prays for recall the PW1 for cross examination. Copy served to other side. The Counsel for plaintiff submit that the application filed by the defendant may be allowed on cost.

It is noticed that, from order sheet of this case, the PW1 not at all cross examined. Moreover, it is not proper to curtail the parties from producing respective evidence on technical grounds. Therefore, this court opinion that it is just and necessary to recall the PW1 in order to cross examination by the defendant. However, on perusal of order sheet this court it is noticed, they caused delay by filing this application for that the defendant have to compensate by way of cost to the plaintiff.

Hence, keeping in view of the facts and circumstances of the case, the application filed by the defendant No.8 is allowed on cost of Rs.500/-.

Hence, PW1 is recalled. Subjected to cross examination on next date of hearing without fail.

For cross of PW1. Call on 27.11.2025.

Sr Civil Judge & JMFC,  
K.R.Nagar.