

ORDER ON I.A.No.XVI

The applicant/defendant No.3 has filed this application under Section 151 of C.P.C for appointing Translator by name Balaji Prasad.V for recording the cross examination of defendant No.3.

2. In I.A.No.XVI, it is stated that for the reasons stated in the affidavit, the plaintiff has filed present suit for the relief of declaration and permanent injunction against the defendants in respect of petition schedule property. Further stated that, he has examined as D.W-1 and produced the documents. Further stated that, the above case is posted for cross examination of D.W-1. He has been residing in Tamil Nadu and he do not know the Kannada language. Hence, it is necessary to appoint the Translator for recording cross examination of D.W-1. Hence, the present I.A. is to be necessary. Otherwise, the applicant/defendant No.3 will be put to inconvenience. Accordingly, prayed to allow the I.A.No.XVI.

3. On the other hand, the learned Advocate for plaintiff submits that, he has no objection to above application.

4. In this case, I have completely gone through the entire suit file. the plaintiff has filed present suit for the relief of declaration and permanent injunction

against the defendants in respect of petition schedule property. Further, the defendant No.3 has examined as D.W-1 and got marked Ex.D-1 to 8 and the above matter is posted for cross examination of D.W-1. At this stage the defendant No.3 has filed the present application seeking to appoint the Translator for the purpose of recording the cross examination of D.W-1 on the ground that, the D.W-1 has been residing in the Tamil Nadu and he did not know the Kannada language. On the other hand, the learned Advocate for plaintiff submits that, he has no objection to appoint the Translator for the purpose of recording the cross examination of D.W-1. Therefore it is just and necessary to appoint a Translator for the purpose of recording the cross examination of D.W-1 Hence, I proceed to pass the following:

ORDER

I.A.No.XVI filed by applicant/ defendant No.3 under Section 151 of C.P.C, is hereby **allowed**.

Balaji Prasad.V S/o M.R.Veluswamy is appointed as a Translator for assisting the court for the purpose of recording of cross examination of D.W-1.

The Translator fee is tentatively fixed at Rs.500/-.

Office is directed to issue notice to Translator by name Balaji Prasad.V S/o M.R.Veluswamy as prayed in the application.

For cross examination of D.W-1.

Call on:30.11.2024.

**Addl. Civil Judge & JMFC,
T.Narasipura.****