

ORDERS ON I.A.No.IV

Provision under which the application is filed	U/o.18 rule 17, R/w.Sec.151 of C.P.C.
Relief sought for	To recall the DW.1
The date on which the application is filed	11.06.2025
Number of the application	IA No.IV
The date on which the objections are filed by different opponent	01.07.2025
The date on which the orders were passed on the said application	16.07.2025

Sri.M.D.P advocate for defendant filed this application, U/o.18 rule 17 r/w Sec.151 of CPC to recall the DW.1 for further chief of DW.1.

2. In the memo of facts contended that, on 25.02.2025 case is posted for further chief of DW.1 due to non appearance of DW.1 the further chief of DW.1 taken as nil. As he has gone to attend the marriage function of his relative. Hence absence is not intentional. Hence prays to allow the applications.

3. On the other hand the plaintiff filed objections in the objections contended that inspite of giving sufficient opportunity the defendant did not adduced the evidence and there is no sufficient reasons to allow the application. To drag on the case filed this

application. Hence prays to reject the application.

4. Heard both the sides.

5. After going through the materials available on record the plaintiff filed this suit for declaration and injunction. When the case is posted for further chief of DW.1 due to relative marriage function he could not attend the court. Noting the absence the court passed the order that the further chief of DW.1 taken as nil. After of laps of several adjournment filed this application. Considering the entire materials it is necessary to allow the application by imposing costs. Hence this court proceed to pass the following:

O R D E R

I.A.No.4 filed by the defendant
U/o 18 Rule 17 r/w Sec.151 of CPC
is hereby allowed on cost of
Rs.500/- costs is to be paid to the
TLSC Devadurga.

Call on for further chief of
DW.1.

**Senior Civil Judge and J.M.F.C.,
Devadurga.**