

1.	Provision under which the application is filed	U/order 18 Rule 17 R/w 151 of CPC
2.	Relief sought for	Recall of cross examination of CW2.
3.	The date on which the application is filed.	05-12-2025
4	Number of application.	IA No. 15 and 16
5	The date on which the objections are filed by different opponents	08-12-2025 Objection filed.
6.	The date on which the orders were passed on the said application.	08-12-2025

ORDER ON IA NO. 15 and 16

Sri. K.S.R.K. advocate for plaintiff filed application no. 15 and 16 under order 18 rule 17 R/w 151 of CPC with prayer to recall the previous order and permit the defendant for cross examination of CW-2.

Defendant counsel filed objection stating that, IA is not maintainable either in law or facts. The plaintiff has no rights has file application to examine said witness. The CW-2 has to explain the reason for his absence. Hence prays for dismiss the IA.

Heard both parties and perused the affidavits, satisfied reasons stated in the affidavit. That apart the documents which are produced along with the applications are just and necessary to dispose of the suit on merits. Further, in order to dispose off the suit on merits and to avoid multiplicity of proceeding opportunity has to be given to the parties. But there is filing

delay in filing the application. Hence this court is of the opinion that it is just and necessary to recall the previous order and permit the recall the previous order and permit the defendant for cross examination of CW-2.

Hence I proceed to pass the following:

ORDER

Application no. 15 and 16 filed by the plaintiff counsel under order 18 rule 17 of CPC R/w 151 of CPC are hereby allowed.

The previous order dated 28-11-2025 is recalled and permitted the defendant for cross examination of CW-2. Issue witness summons to Dr Jeo paul, psychiatrist Sikandrabad Hospital by RPAD. PF is paid office is directed to issue witness summons to CW-2 with direction to present before court physically on 19-12-2025 at 2-45 P.M. and the defendant counsel is directed to cross examine CW-2 without seeking adjournment.

Call on 19-12-2025.

Sd/-
Civil Judge & JMFC,
Devadurga