

The learned counsel for the defendant No.7 files objections to I.A.No.14 to 16.

The defendant Nos. 2 and 8 are called out absent. The learned counsel for the defendant Nos.2 and 8 is also called out, absent. No representation by defendant Nos.2 and 8 till 1:10 p.m. Hence objections to I.A.No.14 to 16 by defendant Nos.2 and 8 is taken as not filed.

Heard the learned counsels for the plaintiff and defendant No.7 on I.A.Nos.14 to 16.
Posted for orders.

COMMON ORDERS ON
I.A.NOS. 14 TO 16

The plaintiff has filed I.A.No.14 U/Section 151 of C.P.C with a prayer to reopen the case for further chief examination of PW.1 for marking of documents, I.A.No.15 Under order 18 Rule 17 R/w Section 151 of CPC with a prayer to recall the PW1 to lead further chief examination and I.A.No.16 Under order 7 Rule 14(3) R/w Section 151 of CPC with a prayer to

permit the plaintiff to produce additional documents as per list.

The learned counsel for the defendant No.7 has opposed to these applications by filing detailed objections. In the objections the defendant No.7 stated that these applications are not maintainable at this stage as the cross examination of PW1 was already completed. When the case was posted for further plaintiff's evidence, without assigning any valid reasons only in order to drag on the case proceedings the plaintiff has come up with these applications. On these grounds the defendant No.7 prayed to dismiss the IAs.

Heard the arguments.

I have perused contents of affidavits enclosed to the present applications when the case was posted for further plaintiff's evidence, the plaintiff has filed these applications. Since the plaintiff has approached the court with some relief as such an opportunity

should be given to the plaintiff to produce all the relevant documents to prove her case. Moreover the defendants will get every opportunities to cross examine the PW1 in respect of her further chief examination as well and deny the documents which are going to be produced by the PW1. Though there is a delay in filing these applications as such some cost can be imposed for such delay. By allowing these applications no harm or injustice will be caused to the defendants. Therefore there are no reasons to reject the present applications. Hence, I proceed to pass the following.

ORDER

IA.Nos.14 to 16 filed by the plaintiff are hereby allowed on cost of Rs.600/-.

PW.1 is hereby recalled to lead further chief-examination.

Posted for further chief
examination of PW1.

Call by 03:00 p.m.

Sd/-
Prl. CJ & JMFC,
Kanakapura.