

COMMON ORDERS ON
I.A.NOS.11 AND 12

The defendant Nos.1 to 4 have filed I.A.No.11 U/Section 151 of C.P.C with a prayer to reopen the case for defendants evidence and I.A.No.12 Under order 18 Rule 17 R/w Section 151 of CPC with a prayer to recall the stage for defendants evidence.

The learned counsel for the plaintiff has opposed to these applications by filing detailed objections. In the objections the plaintiff stated that these applications are not maintainable at this stage as sufficient opportunities are already given to the defendants to lead their evidence. Now at the stage of arguments only in order to drag on the case proceedings the defendant Nos.1 to 4 have come up with these applications without assigning any valid reasons. On these grounds the plaintiff 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 arguments on merits, the defendant Nos.1 to 4 have filed these applications. Since the plaintiff has approached the court with some reliefs against the defendants and the defendant Nos.1 to 4 are contesting the case by taking some defence as such an opportunity should be given to the defendant Nos.1 to 4 to lead their evidence to prove their defence. Moreover the plaintiff will get every opportunities to cross examine the defendant Nos.1 to 4 in respect of their evidence. 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 plaintiff. Therefore there are no reasons to reject the present applications. Hence, I proceed to pass the following.

ORDER

IA.Nos.11 and 12 filed by the defendant Nos.1 to 4 are hereby allowed on cost of Rs.1,000/-.

The defendant Nos.1 to 4 are permitted to lead their evidence **and shall complete their evidence on next date of hearing without fail.**

Posted for evidence by defendant Nos.1 to 4.

Call on 02-04-2026.

Sd/-

**Prl. CJ & JMFC,
Kanakapura.**