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**IN THE COURT OF THE PRL. CIVIL JUDGE & JMFC,
HOSANAGARA
AT: HOSANAGARA**

Present: Sri. MARUTI R SHINDHE

B.A.LL.B

Prl. Civil Judge & J.M.F.C.,
Hosanagara.

Dated: This the 22nd day of January 2026

OS. No.31/2019

PLAINTIFF:

Gramabhivruddhi Sangha
Purppemane, Hosangara Taluk.

(By Sri.YPM., Advocate)

//and//

DEFENDANTS:

The Chief Secretary
Government of Karnataka,
Vidhana Soudha Bangalore
and others.

(D-1 AGP., Advocate)

(D-2 to D5 are placed Ex-parte)



I.A.No. XII and XIII/2026

Applicant : Gramabhivruddhi Sangha
plaintiff : Purppemane, Hosangara Taluk.

//and//

Opponents : The Chief Secretary
defendants : Government of Karnatak
 Vidhana Soudha Bangalore
 and other

The provision under which application is filed	:	under Section 151 of CPC and under order XVIII Rule 17 R/w 151 of CPC
Relief Sough for	:	Re open the case further chief of the PW1 and recal of the PW1
The date on which applications are filed	:	21.01.2026
Number of applications	:	12 and 13
The date on which objections are filed by opponents;	:	22.01.2026
The date on which Orders are passed on the application	:	22.01.2026



**Order on I.A.XII and XIII under section 151 of CPC and
under order XVIII Rule 17 R/w 151 of CPC**

On 21.01.2026 at the stage arguments of the plaintiff side. These IA No.XII and XIII are filed by the applicant/plaintiff under section 151 of CPC seeking re open the case for further chief of PW1 and another IA.No.XIII under order XVIII Rule 17 R/w 151 of CPC for recall of PW1 further chief of PW1.

2. In the accompanying affidavit the applicant/plaintiff submitted that the plaintiff has filed these suit for injunction against the defendants. The plaintiff came to know the some documents which he has produced not exhibited by oversight so marking those documents is very necessary to prove the case. Hence, present application.

3. Per contrary, the defendant No.2 to 5 filed objection to IA.No.XII and XIII containing inter alia that by refuting the averemnt made in the accompanying affidavit of the application. The plaintiff create the documents and trying to produced the same. The plaintiff filed these applications in order to drag the proceedings and cause the delay.



Hence, among all these ground prays to dismiss the application.

4. Heard the learned counsel appearing for the plaintiff and learned counsel appearing for the defendants on IA No.XII and XIII. In view of the materials placed before me and rival contention arise by the parties, the following points arisen for my consideration: -

POINTS

1. Whether the plaintiff has made out ground to allow the application under section 151 of CPC and application under order XVIII Rule 17 R/w 151 of CPC?

2. What order?

5. My answers to the above points are as under:

Point No.1 : In the Affirmative

Point No.2 : As per the final order
for following

REASONS

6. **Point No.1** : The learned counsel appearing for plaintiff argued that the plaintiff wants to exhibit some documents in support of their case. Therefore, the recall of



further chief of PW1 is very necessary for ends of the justice. Hence, among all these grounds prays to allow the application.

7. Per contrary, the learned counsel appearing for the defendants argued that the plaintiff in order to harass the defendants and in order to drag the proceedings filed these applications without any merits of the case. Hence, among all these grounds prays to dismiss the applications.

8. Perused the record of the case. The plaintiff has filed this suit for the relief of permanent injunction against the defendants in respect of the suit property.

9. At the stage of filing these applications by the plaintiff. The case is posted for plaintiff's arguments on merits of the case. The plaintiff has filed this case in the year 2019. As on date the case is pending more than 5 years. The plaintiff has taken sufficient time to adduced the evidence and the plaintiff already got marked the documents Ex.P1 to Ex.P17. However, though the plaintiff not disclosed about the documents to show to recall the PW1 for further examination chief. But, for ends of the justice and equity.



Since the case is pending from 2019 by imposing sufficient cost and for ends of the justice by exercising inherent power under section 151 of CPC and in the light above discussion, this court answered point no.1 Affirmative.

10. Point No.2 : For above said reasons of point No.1, following :

ORDER

The I.A.XII and IA.No.XIII filed under section 151 of CPC and under order XVIII Rule 17 R/w 151 of CPC is hereby allowed with following condition on the cost of Rs.3000/-.

The PW1 must complete is examination in -chief in one day.

(Dictated to the Stenographer directly on computer, typed by her, revised by me and then pronounced in the open court, on this 22nd day of January 2026)

**Prl. Civil Judge &JMFC,
Hosanagara.**



The I.A.XII and IA.No.XIII filed under section 151 of CPC and under order XVIII Rule 17 R/w 151 of CPC are hereby allowed with following condition on the cost of Rs.3000/-.

The PW1 must complete is examination-in-chief in one day.

For further chief of PW1.

Call on 23.01.2026.