

**ORDER ON IA No.XI**

The defendants / applicants have filed IA No.XI U/O 18 Rule 17 of CPC seeking relief to record the evidence of the D.W.2 for further chief examination.

In the affidavit, it is stated that earlier as per the order of this Court the B.A.R.D.C. bank authorities have produced the gift deed along with 11 E sketch and now the said 11E sketch is necessary to get marked.

On the other hand, the plaintiffs have filed objections and denied the facts of the applications and contended that the facts stated in the application are false and not maintainable and contended that the marking of 11E sketch is not necessary. Hence, prays to dismiss the IA.

Heard arguments both side and perused material records.

Admittedly, present suit is for partition and separate possession and on perusal of records, it is noticed that present the case is posted for further defendant evidence and that of defendants have sought relief to recall the evidence of D.W.2 for further chief examination. Hence, considering the

reasons stated in the application, I proceed to pass the following;

**ORDER**

IA No.XI under order 18 Rule 17 of CPC is hereby allowed.

The evidence of D.W.2 is hereby recalled.

The defendants are permitted to further chief examine the D.W.2.

For further chief of D.w.2.

Call On: 07-02-2025.

Sd/-

Senior Civil Judge & JMFC., Bhatkal.