

KAUK510000982023



ORDER ON I.A. NO.IV

The defendant no.1 filed I.A No.IV under Section 151 of C.P.C., praying to modify the order dated 15.06.2024 and permit the defendant no.1 to lead evidence in the interest of justice and equity.

In the memo of facts, the counsel for defendant no.1 stated that, defendant no.1 has not led any evidence on 15.06.2024 but, in view of additional issues framed, he intends to lead his evidence. With these contentions, counsel for defendant no.1 prayed to allow the application.

Perused the I.A and records.

It is true that, on 15.06.2024 counsel for defendant no.1 submits no evidence on behalf of defendant no.1. However, subsequently, the defendant no.2 was impleaded and additional issues were framed and now he intends to lead his evidence to prove his contentions. Under these circumstances, the defendant no.1 is permitted to lead evidence. Hence, I proceed to pass the following:

ORDER

I.A No.IV filed by the defendant no.1 under Section 151 of C.P.C., is hereby allowed.

The defendant no.1 is permitted to lead evidence.

For evidence of defendant no.1

Sd/-

**Civil Judge & JMFC.,
Haliyal**