

ORDER ON I.A.NO.V

The learned counsel for plaintiff has filed I.A.No.V Under Section 151 of CPC., seeking to re-call the PW-1 to adduce further examination-in-chief.

The learned counsel for the defendants has filed statement of objection by contend that plaintiff examined as PW-1 and the matter posted for further examination-in-chief of PW-1 and subsequently, even though the Court has granted sufficient opportunities to plaintiff to adduce his examination-in-chief, but PW-1 has not lead further examination-in-chief and thereby further chief of PW-1 is taken nil and the matter was posted for cross of PW-1. At this stage the plaintiff has filed the present application only with an intention to protract the proceedings. Hence, prays to dismiss the application.

Accepting the reasons assigned in the affidavit filed in support of the accompanying application ***I.A.No.V is allowed*** subject to payment of costs of Rs.100/-. Consequently, re-call the PW-1 to adduce further examination-in-chief in support of his case.

sd/-

**Addl.Civil Judge and J.M.F.C.,
Kumta**

ORDER ON I.A.NO.VI

The learned counsel for plaintiff has filed I.A.No.VI Under Section 151 of CPC., seeking to re-open the case from cross of PW-1 to adduce further examination-in-chief of PW-1.

The learned counsel for the defendants has filed statement of objection by contend that plaintiff examined as PW-1 and the matter posted for further examination-in-chief of PW-1 and subsequently, even though the Court has granted sufficient opportunities to plaintiff to adduce his examination-in-chief, but PW-1 has not lead further examination-in-chief and thereby further chief of PW-1 is taken nil and the matter was posted for cross of PW-1. At this stage the plaintiff has filed the present application only with an intention to protract the proceedings. Hence, prays to dismiss the application.

Accepting the reasons assigned in the affidavit filed in support of the accompanying application ***I.A.No.VI is allowed*** subject to payment of costs of Rs.100/-. Consequently, re-open the case from cross of PW-1 to adduce further examination-in-chief.

sd/-

**Addl.Civil Judge and J.M.F.C.,
Kumta**