

**Order on I.A.No.XIV filed under Order XVI Rule 1 and
Sec.151 of C.P.C.**

It is the application of the plaintiffs to file list of witness coupled with affidavit and stated therein that the witness mentioned in the application is attesting witness to the alleged Will dated 30.12.2014 and to speak about the Will the evidence may be required, therefore, the witness mentioned in the application is

necessary to get mark the Will dated 30.12.2014, hence witness may be summoned before the court in order to mark the Will dated 30.12.2014.

It is also supported by affidavit of plaintiff No.3. Since no objection is filed, however, the Will have to be marked through attesting witness, in view of the reason, there is no ground made out to dismiss the I.A.No.XIV filed under Order XVI Rule 1 to summon the attesting witness to the Will dated 30.12.2014. Accordingly, I.A.No.XIV is deserves to be allowed. Hence, the following:

ORDER

The I.A.No.XIV filed under Order XVI Rule 1 of C.P.C. is hereby allowed. Accordingly, issue summons to Mr. Ramesh Kotian to adduce evidence if P.F. paid by 23.05.2023.

(Natesha R.)
Addl. Senior Civil Judge & A.C.J.M.,
Udupi.