

R.C.S. 21/2010.

Ramakant .Vrs. Subhash.

Order Below Exh.1.
(Passed on 28/11/2016.)

01] This application is filed by the plaintiff to issue witness summons to the witness and to provide protection. It is the contention of the plaintiff that P.W.4 was present in the Court but due to some reasons, his evidence could not be recorded. Then after, someone threat him for giving the evidence in the Court. Then after, the plaintiff also lodged the report. In that circumstances, it is necessary to issue summons to P.W.4 for giving evidence and provide protection to him. On the other hand, the Ld. Counsel for the defendant has given his say overleaf of this application and contended that there is no specific allegations against the defendant. Therefore, without admitting the allegations, he has no objection to grant this application. During the argument, the Ld. Counsel for the plaintiff submitted that he has no objection, if his first prayer i.e. issue summons is grant only. Considered all this facts and circumstances, I pass the following order.

Order

- (1) The application is partly allowed.
- (2) The prayer of issuance of summons to P.W.4 for giving evidence on payment of P.F. is granted.
- (3) The prayer of providing protection to the witness is rejected.

Sd/-

(B.M. Kale)

Dt. 28/11/2016

Judicial Magistrate(F.C.) Balapur.

Certificate

I affirm that the contents of this P.D.F. file are same word for word as per original order.

Name of Steno : S.V. Indane.
Court Name : C.J.J.D. & J.M.F.C., Balapur.
Date : 28/11/2016.
Signed by Presiding
Officer on : 28/11/2016.
Uploaded on : 28/11/2016.
