RCS - 324/19

Order passed below exh. 28

Heard the both side. Application is placed on record to discard evidence of plaintiff. On other side Adv. for plaintiff has contended that, Plaintiff is unable to present before court due to medical reason, therefore application is placed on record a seeking permission to adduce the evidence of Power of attorney holder.

As the plaintiff has already adduced evidence below exh. 20, however, absent before court, therefore present application. At present the plaintiff has want to lead evidence through Power of attorney holder. whether, Power of holder has right to lead evidence is matter of evidence or will decide on merit. As plaintiff has already submitted that, he want to 'not present' the evidence adduced by him below exh. 20. therefore, there is no need to pass order of discarding. Hence, application is hereby rejected.

15-6-26

3rd Jt CJD & JMFC
Jetalpur