

ORDER BELOW EXH. 172 IN R. C. S NO. 100/2010
(Suryakant Vs Ram)

01. Read the application and say. Perused entire record. Heard both sides. According to the defendant the witness PW2 for the plaintiff should be restricted as PW 1 has given evidence on affidavit on behalf of all the plaintiffs. Therefore according to the defendants the plaintiff should directed to restrict evidence of PW2. In this context Shri. Jalkote, advocate for the plaintiff has submitted that the plaintiff has adduced evidence of PW2 as per the direction of the court on the basis of application by the defendant. Therefore according to the plaintiff, PW2 cannot be precluded to adduce the evidence. He has further submitted that the defendant is having liberty to cross the witness produced by the plaintiff. Therefore he has submitted for rejection of the application.

2. Considering submissions of both sides, perusal of documents on record, it seems that the plaintiff has adduced the evidence of PW2 as per direction of court on the basis of application filed by the defendant. Thus witness cannot be precluded from adducing his evidence. Thus application stands rejected.

Place : Nilanga.
Date : 08.08. 2016.

(G.H. Patil)
Jt. Civil Judge, .S.D.
Nilanga.