



WEB COPY



C.S.No.78 of 2022

N.Sathish Kumar, J.

The matter is posted before this Court, since the defendants have not cross examined the witness. P.W.1 was examined and his evidence was recorded on 23.11.2023. From that date onwards, despite the several opportunities granted from 23.11.2023, 06.12.2023, 19.12.1023, 19.01.2024, 31.01.2024, 13.02.2024, 21.02.2024 and 04.03.2024, cross examination has not been done by the defendant side. Further it is is noticed that on 9 occasions despite the presence of P.W.1, cross examination has not been done.

2. The learned counsel appearing for the defendant submitted he has already given change of vakalat.

3. The manner in which adjournments have been sought indicate that the intention of the defendant is only to protract the proceedings. When the parties have given evidence, they cannot be called repeatedly for every hearing leaving their professional, business, etc.

4. In such view of the matter, this Court, as a last chance, is inclined to give one more opportunity to the defendant and such opportunity is given subject to the defendant pays a cost of Rs.20,000/-



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N.Sathish Kumar, J.

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to P.W.1 on or before 25.03.2024. If the cost is not paid, the defendant will lose his right to cross examine the witness. Post for compliance on 26.03.2024.

13.03.2024

VRC

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