

Plaintiff and PW-4 are present. Defendant is present.

Counsel for both parties are present. Sri N.D. Advocate for Defendant files I.A.No.6 and 7 U/Sec.151 of C.P.C. to recall and re-open the case for the purpose of cross examination of PW-1.

In the accompanying applications, it is stated by the defendant that due to ill health of Senior Counsel Sri Manohar

K.V. he couldn't present before this court and could not cross examine the plaintiff in time. Due to this reason this court was taken cross examination of plaintiff was nil. Further, Defendant stated that cross examination of Plaintiff is very essential to prove the case Hence, prays to allow the I.A.No.6 and 7.

Per contra counsel for plaintiff Smt.C.V.G. is present and submits that, the I.A.is may be allowed by imposing heavy cost.

The suit is filed by the plaintiff against to the defendant for the relief of Declaration to declare the will dated 24-12-1999 executed by Prabhakara Melnadu is a valid Will.

It is general principle that widest opportunity should the parties in trial court hence under these circumstances I.A.No.6 and 7 are allowed in the interest of justice and also to avoid multiplicity of proceedings. Hence, I proceed to pass the following-

ORDER

I.A.No. 6 and 7 filed by the defendant is allowed on cost of Rs.300/-.

Case is posted for cross examination of PW-1 by 07-04-2025.

C.J.& J.M.F.C.,
Sullia.D.K.