

COMMON ORDER :

Heard the learned counsel for the petitioner and also the learned counsel for the respondent at length. There is nothing illegality or impropriety in the impugned order passed by the learned VIII Additional District in I.A. No.282 and 283 of 2015 in O.S. No.25 of 2013 in dismissing the same filed by the defendants for recall of P.Ws 1 and 2 for further cross-examination. However, the fact remains that the order of the dismissal is outcome from non-mention of what are the material facts missed to put in the cross-examination of P.Ws 1 and 2 even to permit apart from taken seven adjournments, thereafter to commence the evidence of the defendants.

2) Having regard to the above and to sub-serve the ends of Justice, liberty is given to the petitioner/defendant to file fresh petition by giving a questionnaire stating that what are the important or relevant questions to be put to the witnesses P.Ws 1 and 2 in a sealed cover to the Court and the Court has to decide, out of the questionnaire given, what are relevant to permit the defendant by virtue of this order. The petitioner has to file such an application, by giving questionnaire to the Court, within one week from the date of receipt of this order, to allow and permit, and complete the recall of P.Ws 1 and 2 within one week thereafter.

3) Subject to above observations, these two revisions are disposed of. There shall be no order as to costs. Miscellaneous petitions, if any, in these two revisions shall stand closed.

DR.JUSTICE B.SIVA SANKARA RAO

Dt.08.07.2016

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