

THE HON'BLE SRI JUSTICE G.CHANDRAIAH

C.R.P.NO.460 OF 2016

ORDER

Heard the counsel for the petitioner at the stage of admission.

The plaintiff filed the suit for recovery of amount based on a promissory note and after the closure of evidence and when the matter is coming up for evidence, the defendant filed the present application seeking to recall P.Ws.1 and 2 for re-cross-examination on the same date, to elicit from them that no consideration was passed under the suit promissory note. The trial court by the impugned order dismissed the I.A.

The defendant filed the written statement denying the plaint averments and he got cross-examined P.Ws.1 and 2 and after completion of trial, the suit is at the stage of arguments. Having already cross-examined P.Ws.1 and 2 and again seeking for recalling them to prove that no consideration was passed under the suit promissory note, is an after thought and intended to delay the proceedings, which cannot be permitted. Having regard to these circumstances, I do not find any reason to interfere with the impugned order of the trial court.

The revision is devoid of any merit and the same is dismissed at the stage of admission. No costs.

Miscellaneous petitions pending if any, shall stand closed.

16—02—2016

AVS