



Appln.Nos.188 and 189 of 2022

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in I.P.No.25 of 2014

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Dr.G.JAYACHANDRAN, J.
and
C.V.KARTHIKEYAN, J.

[Order of the Court was made by **Dr.G.JAYACHANDRAN, J.**]

The application in Appln.No.174 of 2017 was reserved for orders after completing the examination of witnesses. Thereafter, the respondent has filed these applications to reopen and recall the PW1 for cross examination.

2. Considering the fact that the application in Appln.No.174 of 2017 was pending for more than five years and this petitioner, who is the respondent in that application, against whom the prayer for recovery of a sum of Rs.50,00,000/- sought, has sufficiently dragged the matter and failed to cross examine PW1, the said application was reserved for orders. Only after reserving the matter for orders, these applications for reopening and recalling is filed.

3. However, in order to afford an opportunity to the petitioner/respondent to examine the petitioner witnesses to put forth his defense, these applications are allowed on terms.

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4. The petitioner shall pay a cost of Rs.20,000/- in each application to the Official Assignee/respondent within a period of seven days from today (01.11.2022). On payment of the cost, PW1 shall be recalled for cross examination and evidence of PW1 shall be reopened.

[Dr.G.J.,J.] [C.V.K.,J.]
01.11.2022

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