



A.Nos.5465 & 5466 of 2022

in

TOS.No.10 of 2022

S.SOUNTHAR,J.

The applicants/defendants have come up with these applications seeking to recall and reopen PW1 for the purpose of cross examination.

2. According to the applicants when PW1 was examined in chief, the respondents/plaintiffs have taken out application to examine PW2 and the same was allowed by this Court on 05.08.2022. Thereafter, PW2 was examined in part and subsequently, he failed to appear and hence, the evidence of PW2 was closed.

3. It is further stated that as the respondents/plaintiffs wanted to examine PW2 even before the completion of evidence of PW1, the evidence of PW1 was automatically closed. As of now, the evidence of PW2 is closed and therefore, the applicants want to recall PW1 and commence their cross examination.

4. The learned counsel for the respondent has no serious objection in allowing these applications.

5. Accordingly, these applications are allowed.

07.12.2022

dna