

ORDER ON EXH. 185(Passed on the 18th day of November 2019)

Defendant Nos. 1 and 2 have prayed for permission to comply the order passed by this Court below Exh.183 by which the Court was pleased to issue witness summons as prayed by the said defendant on payment of process and required Bhatta to be paid by them within ten days from the date of said order which was passed on 02-07-2019.

2] It is submitted that the said defendants and their advocate were unaware of the said order and therefore, the order could not be complied. Per contra, the plaintiff opposed the application contending that this Court has already given sufficient opportunity to the said defendants to comply the order below Exh. 183. They are negligent and only intending to prolong the matter.

3] As a matter of fact due to non compliance of said order and due to the fact that the said defendants failed to adduce any evidence, my predecessor passed specific orders below Exh. 1 thereby closing the evidence of said defendants. Even otherwise, the reason put forth by the said defendants does not inspire confidence. Having said that for the purpose of proper adjudication of the matter in its entirety, last opportunity is given to the said defendants to comply the order passed below Exh. 183. Besides, they shall pay the costs of Rs. 500/- to the plaintiff for the delay that has been caused due to their negligent approach. ‘

4] Hence, the application is allowed in above terms. The said defendants shall comply the order on today itself. They shall also pay the costs as ordered on today itself.

Sd./-

(Shivnath M. Kale)
Civil Judge, (Sr. Dn.),
Chandrapur.

Date : 18-11-2019.