

ORDER PASSED BELOW EXH.41

1] This application filed by Defendant No. 2 praying for passing the order of dismissal of suit. It is the contentions that this suit filed for permanent injunction/reinstatement as a tenant and damages. In this suit the application for temporary injunction filed at Exh.5. The order of Status Quo has been passed upon Exh.5 on 19.09.2017. The order of Status Quo was continuing till 06.12.2017 thereafter the extension of Status Quo stands rejected. Further the application for temporary injunction kept for decision alongwith Exh.1. The issues have been framed vide Exh.39 of 10.04.2024. Since then the suit was fixed for adducing evidence but plaintiff failed to adduce evidence. Hence, prayed for dismissal of suit.

2] Say to this application filed by Plaintiff below Exh.6 application and submitted the contents of application are not true and correct. Further Plaintiff has filed the affidavit of evidence. Hence, prayed of rejection of application.

3] Heard both the sides. Perused record. The Plaintiff has filed affidavit of evidence on 21.07.2025. Therefore, suit fixed for recording of further chief. It is necessary to give an opportunity of both the sides to adduce their oral and documentary evidence. In the interest of justice I come to the conclusion that since the Plaintiff has filed affidavit of evidence and suit fixed for recording of further chief, in such circumstances. The application filed by Defendant is liable to reject. Hence, the order.

ORDER

Application stands rejected.

Pune.

Date :- 21.07.2025

(V. R. Dasari)

Judge, Small Causes Court, Pune

CERTIFICATE

I affirm that the contents of this PDF file are same word for word as per original order/judgment.

Name of steno	:	S.D.Chintanpalli,Steno(Gr.-III)
Name of Court	:	Shri. V. R. Dasari, Judge, Small Causes Court, Pune.
Date of Order/Judgment	:	21.07.2025
Order/Judgment signed by PO on	:	21.07.2025
Order/Judgment uploaded on:	:	22.07.2025