

ORDER BELOW EXH. 33 IN R.C.S.NO.295/2022

01. Defendant has filed this application to set aside no Argument on Exh. 5 order and sought permission to argu on Exh. 05. Application is supported with an affidavit. Plaintiff strongly resisted the application.

02. Heard. Perused record.

03. The present suit is for perpetual injunction. It is relating to immovable property. Valuable rights of parties are involved in it. In above facts the suit is required to be decided on merit and it is necessary to hear both the parties to arrive at jus t decision. Hence, only for aforesaid reasons application is justified but obviously on costs along with previous costs. Hence, the order :-

ORDER

- (1) No argument order passed on 16/06/2023 is set aside on costs of Rs.200/- payable by the Defendant to plaintiff. Defendant is permitted to argu on Exh. 5 on payment of cost.
- (2) On failure to pay costs, suit shall proceed on next stage.

Place : Shevgaon
Date : 20/07/2023

(V.B.Dombe)
Jt. Civil Judge, Jr. Div.,
Shevgaon.