



**ORDER BELOW EXH.21**

**(Passed on: 20/11/2025)**

1. The present application is filed by the plaintiff for setting aside the order dated 18.08.2025 by which the evidence of plaintiff was closed. It is the contention of plaintiff that, in the interest of justice plaintiff deserves an opportunity to adduce evidence.
2. The defendant has filed say to this application and submitted that, the plaintiff is persistently absent and is not proceeding with the suit. Thus, the application be rejected.
3. Heard learned advocate Shri. A. K. Palve for plaintiffs and learned advocate Shri. B. V. Shirsath for defendant. Both have made submissions as per their application and say.
4. The perusal of record shows that, the issues were framed on 25.02.2025 and since 20.03.2025 the suit is posted for evidence of plaintiff. The plaintiff filed his affidavit of evidence on 25.06.2025 and did not remain present on 16.07.2025 and 11.08.2025. Therefore, by order dated 11.08.2025 the evidence of plaintiff was closed. The present application is filed on 16.10.2025. Therefore, considering the overall circumstances and the delay caused to prefer the application it would be just and proper to afford opportunity to the plaintiff to lead evidence subject to cost. Hence, I proceed to passed following order:-

**ORDER**

1. The application is allowed subject to cost of Rs.1000/- to be paid to legal aid.
2. The parties to take note.

(Dictated directly on computer to the Stenographer, script checked, revised and pronounced in the open Court)

Date : 20/11/2025.  
Pathardi.

(Shirishkumar D. Waghmare)  
Jt. Civil Judge J.D, Pathardi.

*I affirm that the contents of this P.D.F. file order/judgment are same word for word as per original judgment.*

*Name of Steno : Mrs. M. R. Sanap,*

*Name of Court : Shirishkumar D. Waghmare,*

*Jt. C.J.J.D.& J.M.F.C., Pathardi.*

*Judgment/order Date : 20/11/2025.*

*Judgment/order signed by Presiding Officer on : 20/11/2025.*

*Judgment/order uploaded on : 20/11/2025.*