

MHAU040001052021



MACP No. 2/2021

Pankaj Sonwane and other and Sagar Kandekar

ORDER BELOW EXH. 42

(Date : 13.11.2025)

1. Claimant has moved this application for setting aside the evidence closed order as well as permission granted to led further evidence.

2. It is contended that, due to ill-health of claimant, he could not attend the court on last date. Hence, the evidence of claimant was came to be closed. The evidence of this witness is very essential. Therefore prayed for setting aside the evidence closed order.

3. Learned advocate for respondent filed reply and submitted that the claimant is protracting trial. Since last many dates claimant is absent. The case is of year 2021 and the claimant failed to take appropriate steps inspite availing ample opportunities. Hence, the application is not maintainable. With this, it is prayed to reject the application.

4. Having heard the both sides. Considering the nature of litigation, it appears that the claimant is claiming for compensation. The learned counsel of claimant failed to take steps. Therefore their evidence came to be closed. Thus, considering the beneficial

legislation as strict procedure of C.P.C. are not applicable hence one last chance can be granted to the claimant to adduce their evidence.

5. In view of the aforesaid facts, I proceed to pass the following order -

**ORDER**

Application Exh.42 is allowed subject to condition to take the appropriate steps, failing to resulting closing of evidence of claimant.

Date : 13.11.2025

**(Smt.S.K. Upadhyay)**  
Additional Sessions Judge,  
Vaijapur.