

MHAU110003282007



RCS No. 91/2008  
Kadappa vs. Amruta

**ORDER BELOW EXH.1**

Perused record and the suit. From it appears that, suit was instituted for perpetual injunction and recovery of encroached land. The suit is remand back by Hon'ble District Court, Aurangabad on the point of re-measurement. As per that the measurement has been conducted by the Deputy Superintendent of Land Record, Phulambri and filed his report at Exh.87. After that, the plaintiff carried out amendment and taken the heirs of defendant No. 1 on record after death of defendant No.1 as per order Exh.90 and 91 dt. 29/9/2023. After that, my Ld. Predecessor passed order below Exh.95 and issue notice TILR to file a corrected report for the purpose of correction. After that, suit is transfer as per order of Hon'ble Principal District Judge, Aurangabad in this Court. On 3/8/2024 the application filed by the plaintiff to issue summons TILR for his evidence. This court issue summons to TILR / DSLR as per the Exh.99 and directed the plaintiff deposit the witness Bhatta. Till today the plaintiff not taken any steps nor paid the Bhatta of witness as directed. Therefore, considering the age of the suit as the suit is instituted in the year 2008 and remanded back by Hon'ble District Court. From the conduct the plaintiff , it seems that, he is not diligent and interested in the suit. Therefore, in view

of this court in above mentioned situation evidence of plaintiff be closed. Hence, I pass following order.

**Order**

Evidence of the plaintiff is closed and suit is kept for evidence of defendant.

Dt:- 13.12.2024

(Dhananjay S. Deore)  
Jt. Civil Judge (J.D.) Phulambri

**CERTIFICATE**

I affirm that the contents of this [P.D.F.](#) file order are same, word to word, as per the original order.

Name of the Stenographer : S. D. Chavan  
Stenographer  
Court : CJJD Court, No. 2, Phulambri.  
Date : 13/12/2024.  
Order signed by the  
presiding officer on : 13/12/2024.  
Order uploaded on : 13/12/2024.  
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