

MHAU130000132009



ORDER BELOW EXH.126 IN R.C.S.NO.147 OF 2010
(Kusum Vs. A.M.C.)

1. Defendant No.1 has filed this application for setting aside order dated 16.11.2021.
2. Defendant No.1 has submitted that on 16.11.2021 this court has closed the side of defendant for evidence. Hence said order be set aside and pursis filed by him at Exh.127 be taken on record.
3. Plaintiff has given the say that suitable order be passed.
4. I heard Ld. counsel for the parties.
5. I perused the application and say submitted. I perused record of this case. In the present case defendant has filed counter claim. In the present case plaintiff has filed evidence closed pursis reserving right to lead evidence in rebuttal. Today defendant No. 1 has also files pursis at Exh.No.127 closing its side for evidence reserving right to adduce evidence in rebuttal.
6. This case was put up for defence evidence on 11.10.2021. Thereafter defendant No.1 has failed to adduce evidence. Hence side of defendant No.1 for evidence was closed by order dated 16.11.2021. Now defendant No.1 is seeking review of said order by filing this application.

7. Defendant No.1 has submitted the pursis that they do not want to lead the evidence reserving right to lead evidence in rebuttal which is not permissible in law after side of defendant No.1 for evidence is closed by this court by order dated 16.11.2021. Defendant No.1 has failed to give sufficient ground for review of order dated 16.11.2021. Hence I pass this order.

ORDER

This application is hereby rejected.

Date : 20.12.2021

sd/-
(Smt. S. N. Morwale)
Civil Judge (Senior Division)
(MCA Court) Aurangabad.

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	: Varsha Ajit Andurkar
Court	: C.J.S.D. (Corporation Court), Aurangabad
Date	: 20.12.2021
Order signed by the presiding officer on	: 20.12.2021
Order uploaded on	: 20.12.2021