



R.C.S.No.113/2016

Ramesh Uttamrao Warape Vs. Rambhau Sampatrao Sonawane

ORDER BELOW EXH.93

1. Present application is made by defendant No.1 for setting aside an order dated 19.01.2026 passed below Exh.1 closing his evidence. Read the application and reply of the plaintiff. Heard Ld. Advocates of the rival parties.
2. Learned advocate for defendant No.1 submitted that, due to miscommunication between him and defendant No.1, his evidence could not be filed. The defendant No.1 has a good case on merit therefore it is necessary to give him one more opportunity to adduce evidence by setting aside an order dated 19.01.2026 passed below Exh.1.
3. Learned advocate for plaintiff submitted that, present application is made with a view to delay the trial. The defendant No.1 had secured several adjournments before passing an order dated 19.01.2026 below Exh.1. Therefore, it is necessary to reject this application.
4. It is seen that, present application is supported by an affidavit. In such circumstances, one more opportunity can be given to defendant No.1 by compensating plaintiff for inconvenience caused to him due to such conduct of defendant No.1. Hence, I pass the following order:

ORDER

1. Application stands allowed with costs of Rs.500/- payable to plaintiff.
2. An order dated 19.01.2026 passed below Exh.1 closing evidence of defendant No.1 is set aside.

Date :-12.03.2026.

(Shri. N.H. Tikhe)
Civil Judge Senior Division
(Corporation 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	: Vilas K. Chavan
Court	: C.J.S.D.(Corporation Court), Aurangabad
Date	: 12.03.2026.
Order signed by the presiding officer on	: 12.03.2026.
Order uploaded on	: 12.03.2026.