

Order below exh.84

Plaintiff has filed present application for setting aside evidence closed order dated 13.02.2023.

2. Plaintiff submits that on 13.02.2023 the matter was fixed for the evidence of the plaintiff. On the very day, the advocate of the plaintiff namely Shri. S. V. Deshpande was suffering from high blood pressure, hence he could not attend the Court. Later on, he admitted on the same day in the hospital and hence he unable to proceed with matter. Considering the fact, the evidence closed order dated 13.02.2023 may be set aside.

3. Defendants objected the application on ground that the application is not supported by medical certificate, hence application may be rejected.

4. Perused application and say.

5. Heard.

6. On 13.02.2023 the advocate for the plaintiff unable to proceed with matter due to hospitalization. On the very day, the evidence closed order was passed against the plaintiff. Defendants objected the application on ground that the application is not supported by medical certificate. When the advocate for the plaintiff making statement at bar and supported by an affidavit vide Exh.84, then defendants ought to rely on the said statement considering the personal difficulty of the

advocate for the plaintiff. The reason put forth by advocate for the plaintiff is plausible and reliable one. Considering the fact, the evidence closed order dated 13.02.2023 is set aside. Accordingly, order follows.

ORDER

1. The evidence closed order dated 13.02.2023 is hereby set aside.
2. No order as to costs.

Date: 05.07.2024.

(Shri. D. S. Thorat)
Civil Judge (S.D.),
Jalna.

CERTIFICATE

I affirm that, the contents of this P.D.F. file are word to word as per original order.

Name of Stenographer : V. A. Dhone (Grade-III).
Name of Court : Civil Court, (S.D.) Jalna.
Date of PDF : 06.07.2024.

sd/-
Signature of stenographer