

Order below Exhibit 35 in RCS No.80 of 2021

Plaintiffs have filed application for setting aside evidence close order passed against them.

2] **The plaintiffs contention is as under :-**

Plaintiff was ill and due to which failed to appear before the court. Evidence close order was passed against them. Now, they are ready to adduce the evidence. Thus, in order to set aside the evidence close order, present application is filed.

3] On the other hand, learned advocate for the defendants through his say objected the present application. He submitted that no sufficient reason mentioned and hence, prayed to reject the application.

4] Heard learned advocate for both the sides. As, plaintiffs failed to adduce the evidence and therefore, by order dated 07/08/2024, evidence close order was passed against them. Subsequently, on date 10/10/2024, present application to set aside the evidence close order is filed. Contention is stated on oath by plaintiff no.1. Reason stated appears to be satisfactory. In the interest of justice and for the fair disposal of the suit an opportunity needs to be given to the plaintiffs to adduce their evidence. Hence, application needs to be allowed. Thus, the following order :-

ORDER

The application is allowed and evidence close order passed against plaintiffs is hereby set aside subject to payment of cost of Rs.300/- (Rs. Three Hundred) to be paid to the defendants till next date.

Place:- Ghansawangi

Date:- 03/02/2025

(Chetan Jagtap)

Civil Judge Junior Division,
Ghansawangi.