

MHKO050058092024



ORDER BELOW EXH.16 IN SUMMARY CIVIL SUIT NO.135/2024
(Vilas Chanvire vs. Imtiyaj Bagwan)

This is application under Section 114 of Code of Civil Procedure for review on earlier order passed below Exh.15.

2. According to the defendant he had filed leave to defend application at Exh. 15 as per Order 37 (3) (5) of Code of Civil Procedure. That application is rejected on 18.11.2025. According to him at the time of deciding earlier application the documentary evidence filed with Exh.3 is not considered properly. It is alleged by the defendant that, he has obtained loan in the famous Patsanstha of Ichalkaranji city. The plaintiff has used blank receipts and blank cheques of that loan transaction in order to support the present case. In such circumstances, defendant has necessary to grant leave to defend to substantial his claim.

3. The plaintiff has filed his say on overleaf of this application. According to him, the application filed by the defendant is false and frivolous. Once the application is for leave to defend is rejected on merit, defendant has no right to file review application on the grounds mentioned in the application.

4. Heard both the sides. Perused the application and say.

5. At the time of hearing present application learned advocate for the defendant submitted that, if leave to defend is granted conditionally he is ready to deposit Rs.2,00,000/- in the court. The document filed along with Exh.3 needs to be proved by the plaintiff. That documents cannot be relied without taking evidence of both the parties. Learned advocate for the plaintiff is ready for the trial. Hence, I pass following

ORDER

1. Application is allowed
2. Defendant is directed to deposit Rs.2,00,000/- within one month from the date of this order.

Ichalkaranji.
Date : 18.03.2026.

(G. M. Nadaf)
Civil Judge Senior Division,
Ichalkaranji.