



ORDER BELOW EXH.219 IN SPECIAL CIVIL SUIT NO.27/2013.

Shri.Mahamadhussain Abdulkarim Athanikar.

V/s.

Shri.Bashir Badshaha Bagwan etc.

Defendants have moved the present application for de-exhibition of agreement to sell (Exh.98) contending therein that, it is not proved in accordance with law and also not referred in cross-examination. In short, as per defendants said agreement to sell (Exh.98) is erroneously exhibited and so requested for de-exhibiting the same.

2. Application is strongly opposed by the plaintiff contending that, he has filed application below Exh.96 for execution of the agreement to sell, on which the Court has passed the detail order after considering the objection of the defendants and so present application is not tenable and needs to be rejected.

3. Heard both learned counsels for parties. Perused record.

4. It appears from the record that plaintiff has filed application below Exh.96 for exhibition of the agreement to sell

(Exh.98) alongwith other documents, on which my learned predecessor has passed detail order on 24/07/2019. In view of the said order, agreement to sell (Exh.98) appears to be exhibited, which has not been challenged by the defendants. When, after considering the objection of the defendants documents has been exhibited by specific order below Exh.96 then entertaining the present application for de-exhibition of the same would amount review of the earlier order, more particularly when there is no error apparent on the face of record. Hence, following order.

ORDER

Application is hereby rejected.

Jaysingpur.

Date : 16/10/2024.

(Y. H. S. Deshmukh)

Civil Judge Senior Division,
Jaysingpur, Dist.Kolhapur.