



Order Below Exh. 56 In RCS No.184/2011

CNR No. :- MHKO110008342011

Passed On 21/08/2025

By this application plaintiff wants to set aside evidence close order. It is the contended that, plaintiff is illiterate so he could not contact his advocate and therefore, failed to file his evidence within time. Therefore, its right to file evidence is extinguished.

2. Defendants have filed their say at the overleaf of application and contended that, the reasons mentioned in the application are false. Issues are framed on 26/03/2021. After framing of issues matter is pending for evidence of plaintiff. Sufficient time has been given to plaintiff to file his evidence. Today also plaintiff has not filed his evidence affidavit along with present application. The matter is more than 10 years old. Hence, prayed for rejection of application.

3. Perused the application, say and record of the case.

4. I have perused application and say filed thereon. As per the principle of natural justice and to contest the matter both the parties must be heard. Though the reason mentioned in the application does not appear to be sufficient, in the interest of justice and to avoid multiplicity of proceedings, delay for filing evidence is condoned. However, delay caused by plaintiff cant not be ignored hence, application deserves to be allowed with costs. In the result, I pass following order.

ORDER

Application (Exhibit No.56) is allowed subject to costs of Rs.200/- (Rupees Two Hundred only) payable to defendants.

Date : 21/08/2025
Peth-Vadgaon.

(J.N. Bhasme)
Jt. Civil Judge Junior Division,
Peth-Vadgaon.