

Vithal Premchand Kotalwar Vs. Municipal Council Udgir and oth 1

MH/A090002862017

**Order Passed Below Exh.69**

Perused application and say. It is appeared that the plaintiff has filed present application for filing of evidence affidavit of his witnesses. On the other hand, Defendant no.2 has filed his say over back-leaf of present application and contended that, this Court has given sufficient time to plaintiff for filing evidence affidavit. Accordingly, on 20/12/2021 and 17/02/2022 matter were adjourn for filing of evidence affidavit on record. After giving ample opportunity to the plaintiff he has failed to file evidence affidavit on record. After carefully perusal of Roznama it is appeared that, matter is pending for evidence of plaintiff since 25/09/2018 and also sufficient time has been given to plaintiff for filing of evidence affidavit of his other witnesses. Matter is more than five years old. Therefore, considering above I proceed to pass following order.

Order

Application below **Exh.69** is hereby allowed with costs of Rs.300 paid to legal aid.

Udgir
Date-18.10.2022

(Smt. J.C. Gupta)
Jt. Civil Judge Junior Division,
Udgir.