

**MHLA110000452018**

**Order below application vide Exh.61**  
**in Spl. C. S. No. 1/2018**  
**Ajaykumar Vs. Faijoddin (Died) Through LRs.**

Perused contents of the application and say thereon. Heard to learned advocates for the parties. They submitted contents of application and say thereon respectively. Perused the record.

2. By this application the plaintiff is seeking to set-aside evidence closed order dated 16.10.2025 passed below Exh.1 on the grounds that the plaintiff was out of station, he failed to approach and provide required information and documents to his advocate. The defendant objected that, no appropriate reason, the application is filed to prolong the matter, so the same may be rejected.

3. However, present application is supported with affidavit vide Exh.62 whereby the plaintiff affirms that the plaintiff was out of station, he failed to approach and provide required information and documents to his advocate. Furthermore, the suit is for cancellation of sale-deed bearing registration No. 219/2017. Loan transaction is alleged in the plaint. The defendants denied the plaintiff's claim and lastly contended to dismiss the suit. In such circumstances,

opportunity of hearing will have to be given to the plaintiff. Affording such opportunity will be helpful to decide real controversies between the parties finally on merits and to avoid multiplicity of the suits and proceedings. The defendants will have an opportunity to cross-examine the plaintiff's witnesses and lead their own evidence. Therefore, no prejudice would be caused to the defendants, if the opportunity is afforded as aforesaid. Hence, in the interest of justice, order dated 16.10.2025 closing the plaintiff's evidence passed below Exh.01 is hereby set-aside.

( R. V. Pande)  
Date :20/11/2025      Civil Judge, Senior Division, Nilanga,  
Place: Nilanga                      District Latur.