

**ORDER BELOW EXH. 221**

01. Read application and say filed thereon. Heard both the parties. Present suit is remanded by the Hon'ble District Court to decide it fresh by giving fair opportunities to both the parties. By way of this application the defendants prayed to set aside evidence close order passed against them and to grant permission to lead evidence.

02. It appears that the evidence of defendants is closed due to failure to lead the evidence but considering the observation made by the Hon'ble District Court in R.C.A. No. 57/2010 and the directions in the judgment, it is necessary to grant permission to lead evidence by setting aside evidence close order. As the matter is more than ten years old, it is necessary to direct the defendants to lead evidence without seeking unnecessary adjournments. Hence, I pass the following order,

**ORDER**

1. Application is allowed.
2. The defendants are permitted to lead the evidence.
3. The defendants shall not seek unnecessary adjournment.

Sd/-  
(R. P. Kulkarni)  
Civil Judge Senior Division,  
Nilanga.

Date : 13.12.2019.