

Order below Exh.219 in RCS No.42/2012
Abdul Khalil Vs. Municipal
MHLA110000992012

By this application plaintiff has requested to set aside the order dated 07/03/2024 by which he is precluded from completing remaining argument, on the grounds mentioned in the application. Defendant No.1 failed to file its say. Defendant No.2 has filed his say and raised strong objections. Perused application and say. Heard both the sides. Record shows that learned advocate for plaintiff has partly argued the matter and as he failed to argue on the appointed date i.e. on 07/03/2024, the impugned order came to be passed. On 22/04/2024 learned advocate for defendant No.1 has argued the matter. This application is filed on 21/06/2024. There is delay of approximately more than two months in moving this application. Be that as it may. Considering the nature of suit, reliefs claimed and the fact that learned advocate for plaintiff is ready to argue even today, in my opinion, permission to complete his argument needs to be granted. No prejudice will be caused to any of the defendant. Hence, I pass following order:-

ORDER

1. The order dated 07/03/2024 by which plaintiff is precluded from completing remaining argument is set aside and he is permitted to complete his argument subject to condition that learned advocate for plaintiff shall argue the matter on next date without fail.
2. No order as to costs.
3. The next date is fixed as per the convenience of learned advocate Shri T.B.Shinde representing the plaintiff.
4. Necessary order is passed below Exh.1.

Date :12/08/2024

(Ashish B. Marlecha)
Civil Judge (Sr.Dn.),
Nilanga, Dist. Latur.