

Order below Exh.156 in RCS No.125/2012

By this application defendant No.2 has requested to set aside the order dated 08/08/2024 by which he is prevented from adducing his evidence, on the grounds mentioned in the application. Plaintiffs have raised objection. Perused application and say. Heard both the sides. Considering the nature of suit, reliefs claimed and to decide the suit on merits by granting opportunity of fair trial, in my opinion, it is necessary to permit defendant No.2 to adduce his evidence by setting aside the order dated 08/08/2024. Hence, I pass following order:-

ORDER

1. The order dated 08/08/2024 passed against defendant No.2 is set aside and he is permitted to adduce his evidence, subject to cost of Rs.200/- to be payable by him to plaintiff No.2, who is present in the Court, today itself.
2. After payment of cost amount and its acknowledgment by plaintiff No.2 the affidavit of chief examination filed by defendant No.2 at **Exh.158** be read and recorded.
3. Necessary order is passed below Exh.1.

Date :13/09/2024

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