

Order below Exh.161 in RCS No.125/2012

By this application defendant No.2 has requested to set aside the order dated 07/01/2025 by which his evidence at **Exh.158** came to be discarded on the grounds mentioned in the application. Plaintiffs have raised objections. Perused application and say. Heard both the sides. Considering the grounds mentioned in the application, nature of suit, relief claimed and to grant an opportunity of fair trial to decide the suit on merits, in my opinion, the order dated 07/01/2025 requires to be set aside. Hence, I pass following order:-

ORDER

1. The order dated 07/01/2025 by which the evidence of defendant No.2 at **Exh.158** came to be discarded is set aside and it be again read and recorded.
2. Necessary order is below **Exh.1** and **Exh.158**.
3. No order as to costs.

Date :11/02/2025

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