

**Order below Exh.54 in RCS No.160/2018**

By this application defendant No.4 has requested to set aside the evidence close order and granting permission to adduce further evidence, on the ground mentioned in the application. Plaintiff has raised objections. Perused application and say. Heard both the sides. Record shows that the evidence of defendant No.4 came to be closed by order dated 21/06/2024. She moved an application at **Exh.52** on 19/07/2024 for setting aside said order and this application was Not pressed by her on 02/08/2024. On the same day i.e. on 02/08/2024 she moved present application after more than one month of passing of impugned order. This delay of one month can be compensated by imposing cost upon defendant No.4. However, considering the grounds mentioned in the application, nature of suit, reliefs claimed and to grant an opportunity of fair trial, permission to examine the witness needs to be granted. Hence, I pass following order:-

**ORDER**

1. The order dated 21/06/2024 passed against defendant No.4 is set aside subject to cost of Rs.150/- to be payable by her to plaintiff today itself.
2. After payment of cost amount and its acknowledgment by plaintiff, necessary order will be passed on the affidavit of chief examination of Dnyandev Govind Bhage at **Exh.56**.

Date :09/09/2024

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