

ORDER BELOW EXH.58 IN REGULAR DARKAST NO.33/2016
PADMINBAI VS. HANMANT & ORS.

1. Read the application and say filed thereon. Perused the records of the case. Heard Ld. Advocate for both sides.
2. This is an application filed by plaintiff for setting aside dismissal order passed against defendant No.4 for the reasons stated in the application. It is seen that, the suit was dismissed against defendant No.4 on 09/05/2025 as plaintiff failed to secure his presence. The suit is filed for partition and separate possession and defendant No.4 is necessary party to the suit. The application of plaintiff is supported with affidavit. Therefore, it is necessary to set aside the dismissal order passed against him. However, as the application is belatedly filed by plaintiff, application deserves to be allowed on heavy costs. Hence, I pass the following order.

ORDER

1. Application below Exh.58 is allowed subject to cost of Rs.500/- (Rs. five Hundred only) payable to T.L.S.A., Nilanga.

Nilanga
Dt.:- 11/11/2025

(Smt. V. D. Bhosale)
Jt. Civil Judge Sr. Dn., Nilanga.