

**Order below Exh.63 in RCS No.492/2016**

By this application plaintiffs have requested to set aside the order dated 11/01/2023 passed at **Exh.58** by which the affidavit of chief examination of plaintiff No.1 came to be filed on record, on the grounds stated in the application. Defendant Nos.1 to 7 have filed their say and raised objections. Other defendants failed to file their say. Perused application and say. Heard both the sides. Both of them have submitted in the line of their application and say respectively. Considering the nature of suit, reliefs claimed and grounds stated in the application, in my opinion, it is desirable that the order dated 11/01/2023 passed at **Exh.58** by which the affidavit of chief examination of plaintiff No.1 came to be filed on record be set aside. No prejudice will be caused to any of the defendants as they will have an opportunity to cross examine plaintiff No.1 at length. In the result, I pass following order:-

**ORDER**

1. The order dated 11/01/2023 passed at **Exh.58** by which the affidavit of chief examination of plaintiff No.1 came to be filed on record is set aside and the same be read and recorded.
2. No order as to costs.

*Order dictated and pronounced in open court.*

Date :13/03/2023

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