

Order below Exh.1 in RCS No.492/2016

This is a suit for recovery of possession and perpetual injunction. Some of the defendants have filed their WS. Record shows that witness summons came to be issued to Shri.B.S.Bhagade, who was attached as measurer with TILR, Office, Nilanga, vide **Exh.77** and from last more than three dates the matter is pending for its report. A fact of which judicial note can be taken is this Court took several efforts to secure presence of Shri.B.S.Bhagade in other cases but those turned to be futile. As far as, I remember Shri.B.S.Bhagade is retired and is residing at Beed. Besides, he is also suffering from some disease and it is practically impossible that he will attend this Court for deposition. These facts were brought to the notice of advocate for the plaintiff and he was directed to take appropriate steps for proceeding with the matter. As the said witness namely Shri.B.S.Bhagade is not going to appear before this Court in near future, there is no point in keeping the matter pending for recording his evidence. Hence, I pass following order:-

ORDER

Plaintiff is directed to proceed with the matter on next date without fail or else his evidence will be closed.

Date :28/01/2025

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