

Order below Exh.62 in RCS No.87/2017

By this application plaintiff has requested to set aside the evidence close order passed against him on the grounds mentioned in the application. Defendant failed to file his say. Perused application. Heard learned advocate for plaintiff. Record shows that the evidence of plaintiff came to be closed on 14/08/2024. Plaintiff moved this application on 04/11/2024 along with affidavit of chief examination of his witness namely Jivan Sopan Kolekar vide **Exh.64**. Taking into consideration, nature of suit, reliefs claimed and to grant an opportunity of fair trial, it is necessary to permit plaintiff to adduce further evidence. However, while doing so, the delay caused in moving present application cannot be neglected and it is necessary to impose penalty upon plaintiff. Hence, I pass following order:-

ORDER

1. The order dated 14/08/2024 thereby closing the evidence of plaintiff is set aside subject to penalty of Rs.500/- to be deposited with TLISA, Nilanga, today itself.
2. After depositing penalty amount, the evidence of Shri. Jivan Sopan Kolekar at **Exh.64** be read and recorded.
3. Necessary order is passed below Exh.1.

Date :07/12/2024

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