

Order below Exh.116 in R.C.S. No.329/2023.  
Usha Rathod Vs. Uttam Rathod and others.  
(Order passed on 9<sup>th</sup> February, 2026.)  
CNR No.MHLA170005502023

Defendant No. 1 has filed the application for setting aside “Evidence Close” order passed against him on 15/12/2025 on the grounds that, he could not appear before the Court due to his son sustained fracture to his leg in the accident. Therefore, it is prayed by defendant No.1 that, ‘Evidence close’ order passed against him be set aside.

2. Perused the say of the plaintiff. She objected the application on the grounds that, application filed by defendant is not tenable. There is no *locus-standi* to defendant No.1. Hence, the plaintiff prayed to reject the application.

3. Heard learned counsels for both the parties. Perused the record. Considering reasons assigned by defendant No.1, it is necessary to grant an opportunity to lead his evidence for just decision of the suit. Hence, the application is liable to be allowed. Therefore, I proceed to pass further order below Exh. 1.

Place:-Ausa.  
Date : 09.02.2026.

( P. I. Mokashi )  
Civil Judge, Senior Division,  
Ausa.