


<p>MHNG080002682025</p> 	<p>RCS No. 23/2025 Dipak Vs. Shivdas</p>
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Order Below Exh.24

This is an application for re-examination of witness.

2. Plaintiff filed his evidence by affidavit. During cross-examination new material facts came on record hence plaintiff wants to filed certain documents by re-examine himself. Hence, this application.

3. Defendant opposed this application by filing say below Exh.25. Read application, say heard Advocates for both sides and perused record. The plaintiff filed his evidence affidavit below Exh.21 and filed documents below Exh.22 and 23. It is pertinent to note that certain materials admission came on record during cross-examination. The plaintiff wants to support his case by filing important documents which are nothing but revenue records necessary to proved this case. Hence, this court is of the opinion that one chance is required to be given to the plaintiff so that matter can be heard and decide on its merits.

4. As far as inconvenience causing to the plaintiff can be curd out by imposing certain costs under Section 35 and 35-A of Code of Civil Procedure which reads as Section 35 of Code of Civil Procedure deals with imposition of costs which reads as Costs.—(1) Subject to such conditions and limitations as may be prescribed, and to the provisions of any law for the time being in force, the costs of and incident to all suits shall be in the discretion of the Court, and the Court shall have full power to determine by whom or out of what property and to what extent such costs are to be paid, and to give all necessary directions for the purposes aforesaid. The fact that the Court has no jurisdiction to try the suit shall be no bar to the

exercise of such powers. Hence, I pass following order.

Order

1. Application is allowed subject to costs of Rs.1,000/- to be paid to the defendant.
2. The plaintiff is at liberty to re-examine witness and file documents on record.

Place : Kamptee.
Dt:- 01.04.2026

(Q.R. Syed)
2nd Jt. Civil Judge Junior Division
Kamptee.

ENDORSEMENT

Case argued on	:	01.04.2026
Order dictated on	:	01.04.2026
Transcription ready on	:	01.04.2026
Order checked and signed on	:	01.04.2026

CERTIFICATE

I affirm that the contents of this P.D.F. File are same word to word as per original Order.

Name of Steno :- Vrushabh Wanjari