

MHNS160012092016



**R.C.S./158/2016**  
**Jabbar Shah Hussein Shah Fakir Vs. Rashid Hamid Fakir**  
**ORDER BELOW EXH. 66.**

1. The application Exh.66 is filed by plaintiff for setting aside, no evidence order dated 01.12.2025.
2. The defendant has filed say. Heard.
3. The suit is filed for possession. The plaintiff failed to adduced his evidence and therefore, matter was proceed further vide order dated 01.12.2025. It is the contention of plaintiff that, due to illness he unable to adduced his evidence and therefore prayed to allow the application in the interest of justice.
4. No doubt matter is for evidence since 24.03.2017. However, the fact can not be denied that plaintiff failed to adduced evidence since then. The suit is for possession and therefore opportunity required to be given to the plaitiff to adduced his evidence. No prejudice will caused to other side if permission to lead evidence is granted to plaintiff. Hence following order.

**Order**

Application Exh.66 is allowed subject to cost of Rs. 1000/- to be paid to the other side and Rs. 500 to TLISA. The plaintiff is directed to comply order on or before the next date and on failure on the part of plaintiff to comply the order the matter will be proceed further. Concern to note and comply.

Date:-05/01/2026

**(S.S.CHHALLANI)**  
**Civil Judge J. D.,**  
**Chandwad.**

**CERTIFICATE**

I affirm that the contents of this P.D.F. file Judgment/Order are same, word to word, as per the original Judgment/Order.

Name of Stenographer	<b><i>Namdev M. Shedge</i></b> Stenographer Grade -III
Name of Court	C.J.J.D. & J.M.F.C., Chandwad.
Date of Dictation	05/01/2026
Judgment/order signed by the PO on	05/01/2026
Judgment/order digitally signed by the PO on	05/01/2026
Judgment/order uploaded on	05/01/2026