

ORDER
(Below Exh. 24)

- 1] This is the suit for permanent injunction.
- 2] This is the application seeking setting aside no evidence order passed below Exh. 1 on 29.11.2024. The defendants objected the application by filing say on it.
- 3] Heard and perused record. It appears that the affidavit of chief examination of the plaintiff came to be filed on 18.03.2023. But, he was not present on 29.11.2024 and therefore, no evidence order came to be passed stating reason of failure of the plaintiff to proceed with the present suit. However, considering the dispute in the suit and in the interest of justice it would be proper to set aside the no evidence order subject to cost to be paid the defendants. Hence, the order:

Order

- 1] The application is allowed subject to cost of Rs. 500/- to be paid to the defendants.
- 2] The plaintiff is directed to appear on next date and proceed with the suit without fail and unnecessary adjournment.
- 3] Needless to mention that the failing above conditions by the plaintiff, the present application shall be deemed rejected.

Sd/-

Date - 06/02/2026.

(H.B. Pardeshi)
Ext.Jt. CJJD, Manmad