

MHOS150000912016



R.C.S. No. 56/ 2016
Vijaykumar V/s. Dattatrya & Ors.
CNRNOMHOS150009122016

ORDER BELOW EXH. 89

- 1) By this application defendant no. 1 is praying to set aside evidence closed order dated 12-08-2025. Perused the application and say filed thereon. Heard, Ld. Counsels for the respective parties.
- 2) It is contended by the defendant that due to miss understanding about the date fixed defendant could not remain present therefore defendant no. 1 failed to adduced evidence within time. As the defendant failed to adduced evidence, evidence of the defendant is closed. It is also contended that there is no intention to prolong the matter hence, instant application is being preferred.
- 3) The Ld. Counsel for the plaintiff opposed the said application on the ground that the no sufficient reason is given.
- 4) No evidence is filed by the defendant to support his contention. However, it is a settled principle that no party shall remain unheard. Similarly, in order to decide the matter effectively and on merit one opportunity needs to be given to the defendant. Considering the above principle of law in mind and in the interst of justice, I proceed to pass the following order.

ORDER

- 1) Application is hereby allowed.
- 2) Order of evidence closed order dated 12-08-2025 passed against the defendant no. 1 is set aside subject to payment of costs of Rs. 500/- (Five Hundred only) to the T.L.S.A., Paranda.

Date: 14/01/2026

(Dilip G. Jagtap)
Jt.Civil Judge, Junior Division
Paranda

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 the Stenographer	Shri. V.N.Phurade
Name of Court	Shri. Dilip G. Jagtap, Jt. C.J.J.D. and J.M.F.C., Paranda
Date of Dictation	14/01/2026
Judgment signed by the P.O. on	14/01/2026
Judgment/Order uploaded on	14/01/2026