

MHOS150003992013



R.C.S. No. 243/ 2013

Madhukar & Ors. V/s. Dnyandeo&Ors.

CNRNOMHOS150003992013

ORDER BELOW EXH. 114

- 1) By this application plaintiff is praying to set aside evidence closed order dated 22-12-2025. Perused the application and say filed thereon. Heard, Ld. Counsels for the respective parties.
- 2) It is contended by the plaintiff that due to unavailability of the witness on the date fixed plaintiff could not keep witness present therefore plaintiff failed to adduced evidence within time. As the plaintiff 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 interest of justice, I proceed to pass the following order.

ORDER

- 1) Application is hereby allowed.
- 2) Order of evidence closed order dated 22-12-2025 passed against the plaintiff is set aside subject to payment of costs of Rs. 500/- (Five Hundred only) to the T.L.S.A., Paranda.

Date: 15/01/2026

(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	15/01/2026
Judgment signed by the P.O. on	15/01/2026
Judgment/Order uploaded on	15/01/2026