

Order below Exhibit. 90 in Regular Civil Suit no. 56 of 2014
(CNR No. MHSN130001842014)

The present application is filed by the plaintiff to set aside 'Suit to proceed without evidence of plaintiff' order passed against him.

2) The plaintiffs contended that the the plaintiff was absent on last date. Thereafter the evidence of plaintiff was closed. The plaintiffs are ready give evidence. Hence prayed to allow the application.

3) The defendants resisted the application contending that the reason mentioned in the application is not true. The plaintiff delayed the matter intentionally. Hence prayed to reject the application.

4) Considering the nature of suit, an opportunity needs to be given to the plaintiff to put forth his case in the interests of justice which will ultimately help in adjudicating the matter on merit.

Accordingly, the following order is passed :

ORDER

- 1) The application is allowed.
- 2) The "Suit to proceed without evidence of plaintiff" order passed against the plaintiff is hereby set aside subject to payment of costs of Rs.300/- (Rupees Three Hundred only) to be paid by the plaintiff to the defendants on or before next date.

Sd/-

Kadegaon
Date : 17.10.2023

(J.T.Koregaonkar)
Civil Judge, (J.D) Kadegaon