

ORDER BELOW EXH. 25 IN L.A.R.No.45/2011

(I.A.No.01/2021)

Perused the application and say. Heard both the sides at considerable length. The applicant through this application prayed to set aside the order of 'no evidence.' dated 15.09.2017 and permission to file evidence is claimed. As per their contention, due to illness of his father and his father's death he could not file evidence. Hence, filed this application to set aside the no evidence order. The respondent has filed say to this application and contended that the application is filed after 4 years and no proper reason is given for delay. Hence, application be rejected.

02] In the light of submission raised, I have gone through the record. It is necessary that all the parties should be given opportunity to challenge the same. So also, due to Covid-19 pandemic already limitation was suspended. Further, there were limitations in working of Court proceedings. Considering Covid-19 circumstances and to decide the matter on merit, opportunity should be given to file evidence. Hence, following order is passed.

ORDER

1. The application below exh.25 is allowed subject to costs of Rs.200/-.
2. The order of 'no evidence' against applicant is set aside.
3. Costs shall be paid to the Legal Services Authority, Pandharpur.

Date: 18.02.2022.

Civil Judge Senior Division,
Pandharpur

CERTIFICATE

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

Name of Stenographer : B.R.Kondekar
Court Name : Civil Court Senior Division, Pandharpur
Date 18.02.2022

Order/Judgment signed
by the Presiding Officer on : 18.02.2022

Order uploaded on : 18.02.2022