

ORDER BELOW EXH. 87 IN R. C. S. NO.30/2018
IA No./1/19

1. Perused the application and say. Heard both side at length.

2. This is an application moved by plaintiff for setting aside evidence closed order passed against them.

3. In the application it is averred that, on the date when matter was fixed for cross examination of the plaintiff's witness the defendant had gone to out of station. Therefore, he could not take step resultantly, the evidence close order passed against them.

4. By opposing this application it is submitted that , considering the fact and circumstance mentioned in the application is not legal one therefore, same be rejected.

5. The suit is filed for execution of sale deed on the basis of alleged agreement. Hence, it appears that, in the suit immovable property is involved. Therefore, considering the nature of the suit, relief sought by the plaintiff as well as reason mentioned in the application I am of the opinion that, one fair chance will have to be given to plaintiff to adduce the evidence. While allowing the application some reasonable cost will have to be impose. Hence, the order.

ORDER

1. The application is allowed subject cost of Rs. 300/-
2. No cross order is hereby set aside.

Dt. 12/03/2019

Sd/-
(M. V. Burade)
3rd Jt.C.J.S.D. Pandharpur

CERTIFICATE

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

Name of Employee	:	P. D. Phutane, Stenographer L. G.
Court	:	3rd Jt. C.J.S.D. Pandharpur
Date	:	12-03-2019
Judgment/order signed by	:	
the Presiding Officer on		12-03-2019
Judgment/Order uploaded on:		12-03-2019