

MHST010023252022



Order Below Exh. 26 in MACP No. 215/2022
(Jyotsna Nitin Jadhav & Ors. Vs. Sevaraj Rasappan & Anr.)

This application is filed by the applicants for re-examination of PW.1-applicant No.1.

02. Learned Advocate appearing for opponent No. 2 has strongly objected this application by filing say on this application itself.

03. Heard both sides. Perused record and proceeding.

04. It appears that, the present matter is pending before this Court since year 2022. Today, applicant No. 1 by filing her evidence affidavit in lieu of affidavit in examination-in-chief, stepped into the witness box. Today itself an opportunity is given to the applicant No. 1 to lead her further examination-in-chief. However, in the evidence affidavit and in further examination-in-chief the applicant No. 1 has not stated about Mr. Chandrakant Pharande. Now, after facing the cross-examination, the petitioners have filed this application (Exh.26) for leading further more questions in respect of Mr. Chandrakant Pharande by way of re-examination.

05. Considering the aforesaid circumstances, no ambiguity is there at all. Moreover, alongwith this application no death extract of Mr. Chandrakant Pharande is filed on record. Even in this

application, no specific reason for re-examination is mentioned.

06. It is to be noted here that, if the applicants want to bring on record death particulars of Mr. Chandrakant Pharande, they can very well file death extract of Mr. Chandrakant Pharande. Hence, this application does not held water. Therefore, it is rejected.

Sd/-

Satara.
Date : 04.03.2025.

(S. S. Kosamkar)
Chairman, M.A.C.T.
Satara.