

ORDER BELOW EXH. 1 IN R.C.S. 83/2013  
CNR NO. MH17-000553-2013

( Darshana Thakur Vs. Mahendra Patil )

It reveals that plaintiff already filed the affidavit in lieu of examination-in-chief by vide Exh. 90. On the said affidavit, the further examination-in-chief was recorded. Defendant no. 1 had started examination. Thereafter, the application for amendment was moved by plaintiff and as per the order passed thereon, plaintiff amended the suit. Plaintiff further moved the application by vide Exh. 161 for permission to file the additional affidavit in lieu of examination-in-chief. The said application was allowed. It was specifically directed to plaintiff that he is permitted to file additional evidence in consonance with order below Exh. 154. Plaintiff instead of filing the additional affidavit to the related pointed mentioned in the amendment, he had reproduced the entire facts in affidavit filed in lieu of Exh. 162. Hence, the affidavit filed in lieu of examination-in-chief by vide Exh. 162 is merged with Exh. 90, the original affidavit filed in lieu of examination-in-chief.

Sd/-

Palghar  
Date : 05.01.2019

(D. U. Dongare)  
Jt. Civil Judge, S.D.  
Palghar.