

ORDER BELOW EXH. 24 IN R.C.S. 66/2016
CNR NO. MHTH170005812016

(Prabhavati Wade and another Vs. Rajani Sankhe and others)

1] Plaintiff filed this application for permission to withdraw the affidavit filed by vide Exh. 19 and to file the examination-in-chief of plaintiff no. 2.

2] Defendant stated that application is mischievously filed to prolong the matter and therefore, they stated that application shall be rejected.

3] Exh. 19 is the affidavit in lieu of examination-in-chief of Prabhavati Moreshwar Wade. She is plaintiff no. 1. She is suffering from old age ailments and therefore, unable to attend the Court. There was further examination-in-chief not recorded on Exh. 19 and therefore, it is not become the evidence of plaintiff. If this application is allowed, no prejudice will cause to defendants. Hence, I pass the following order.

ORDER

- 1] Application is allowed.
- 2] Exh. 19 the affidavit of examination-in-chief of Prabhavati Moreshwar Wade is permitted to not press to plaintiff.
- 3] Plaintiff is permitted to file the affidavit in lieu of examination-in-chief of plaintiff no.2.

Palghar
Date : 03.10.2018

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