ORDER BELOW EXH.43

1. The present application moved behalf of plaintiff no. 1 to adduce his additional evidence. Say is filed overleaf of application behalf of defendant no. 2(1) to 2(5).

2. Read the application and say. Heard Ld adv. for plaintiff as well as defendants. Perused record and proceeding.

3. It appears that, this is a suit for possession and mesne profit. Initially the suit is proceeding exparte against defendant no. 1 and 2. The plaintiff filed affidavit for lieu-of-examination of chief at Exh. 12 on 14/07/2021 and on 08/12/2021 no cross order has been passed. Thereafter, due to death of defendant no.2 his Lr's are brought on record as per order below Exh. 22. Thereafter, the present defendants have filed their written statement Exh. 22. Thereafter, the present defendants have filed W.S. at Exh. 33 and after that, the issues have framed at below Exh. 41 and as per Exh. 42 permission is allowed to conduct cross-examination of plaintiff.

4. The considering the nature of subject matter. Valuable rights of parties involved in suit. In order to enable the court effectively and completely adjudicate upon and settle all the questions involved in the suit. It is on record that, the suit is initially proceeded exprete against defendant nos. 1 and 2. no defence of defendants on record. After the death of defendant no. 2 his

Lr's are brought on record and they file their defence to resist the suit claim. The plaintiff filed the affidavit-in-lieu of examination-in-chief at Exh. 12 prior to defence of defendants. Some facts are also came on record in defence of defendant. Therefore, the plaintiff wants to adduce some additional evidence on record. If the application is allowed no harm will be caused to the defendants. On other hand, it helps adjudication and decision of present suit. Thus I following order .

ORDER

1. Application at Exh.43 is allowed.

2. The plaintiff is permitted to adduce his additional evidence by way of affidavit and defendants have opportunity to cross examination of plaintiff.

Sd/-
(S.N.Gavali)
Date:- 23/11/2023 Jt. Civil Judge (J.D.) Risod

CERTIFICATE

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

Name of the Jr Celrk	:	**Rohan S. Koshti**
Name of court	:	Jt.C.J.J.D.& JMFC, Risod.
Date of Order	:	23.11.2023
Order signed by the Presiding Officer	:	23.11.2023
Order uploaded on	:	**23.11.2023**