

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

WRIT PETITION NO. 1737 OF 2015

ASHOK PANDHARINATH MALI
VERSUS
JOYTI VIJAY SONAR

...
Advocate for Petitioners : Mr Tripathi Sushilkumar H.

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CORAM : V.K. JADHAV, J.
Dated: November 06, 2017

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PER COURT :-

1. The petitioner-original plaintiff has filed an application Exh.47 in Special Civil Suit No.211/2012 for setting aside the order of closing plaintiffs evidence passed on 28.7.2014. Learned Judge of the trial court has allowed the said application subject to costs of Rs.4,000/-, however, the petitioner-plaintiff has not deposited said costs and his application Exh.54 seeking permission to deposit the costs came to be rejected by the court. Hence, this writ petition.

2. As per the interim order passed by this court, petitioner-plaintiff has deposited the costs of Rs.10,000/- before the Trial Court. None appears for

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the respondents, though duly served.

3. In view of the same, application at Exh.54 is allowed on the condition that the petitioner-original plaintiff shall deposit costs of Rs.10,000/- which is already deposited and out of that an amount of Rs.5,000/- shall be paid to the other side and remaining amount shall be credited to the District Legal Services Authority, Jalgaon.

4. Writ Petition accordingly disposed of.

(V.K. JADHAV, J.)

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