

MHAU130001902016



R.C.S. No. 113/2016

Ramesh Uttamrao Warape Vs. Rambhau Sampatrao Sonawane

ORDER BELOW EXH.89

1. By this application the defendant No.1 prayed to set aside no cross-examination order dated 25.09.2025 passed below Exh.87.
2. Read the application and reply of the plaintiff. Heard Ld. Advocates for the rival parties.
3. Ld. Advocate for defendant No.1 submitted that, on 25.09.2025 he had appeared before this Court and had requested to post the matter for cross-examination on next date. However, after sometime he came to know that, no cross-examination order was passed against him. The defendant No.1 has a good case on merit. Therefore, it is necessary to permit the defendant No.1 to cross-examine plaintiff's witness below Exh.87 by setting aside no-cross-examination order.
4. Learned advocate for plaintiff argued that, the ground mentioned the application is not correct. Therefore, it is necessary to reject the application.
5. It is a matter of record that, on 25.09.2025 this Court has passed no-cross-examination order against defendant No.1. Present application is made on the very next date. It shows bona fides on the part of defendant No.1 to contest the suit on merit. Moreover, in order to have an adjudication of the suit on merit, it is desirable to give one more opportunity to the defendant No.1. Hence, I pass the following order:-

ORDER

1. Application stands allowed.
2. No cross-examination order dated 25.09.2025 passed below Exh.87 is set aside.

Date :-06.10.2025.

(Shri. N.H. Tikhe)
Civil Judge Senior Division
(Corporation Court), Aurangabad.

CERTIFICATE

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

Name of the Stenographer	: Vilas K. Chavan
Court	: C.J.S.D.(Corporation Court), Aurangabad
Date	: 06.10.2025.
Order signed by the presiding officer on	: 06.10.2025.
Order uploaded on	: 06.10.2025.