

ORDER BELOW EXH. 1 IN R.C.S. NO. 58/2011

Since 10-8-2016, this matter is pending for cross-examination of plaintiff No. 6. Due to absence of learned Advocate for defendants “No cross” order was passed on 23/11/2016. On 22-3-2017, by order passed below application (Exh.108), “No cross” order dated 23/11/2016 was set aside to the extent of defendants No. 2 to 13 on their each paying costs of Rs. 200/- to plaintiffs. It was made clear that failure of defendants No. 2 to 13 to pay costs and to proceed with the matter on the next date, would automatically vacate the said order. Today, defendants No. 3 and 5 are present. They are ready to pay costs to plaintiffs. However, learned Advocate for defendants No. 2 to 13 is absent and, therefore, cross-examination of plaintiff No. 6 could not be conducted. The fact remains that defendants No. 2 to 13 are not proceeding with cross-examination of plaintiff No. 6, as directed. Plaintiff No. 6 is present in the Court and is ready to face cross-examination. No reason whatsoever is given for absence of learned Advocate for defendant No. 2 to 13. This shows that defendants No. 2 to 13 are not interested in cross-examining plaintiff No. 6. Hence order dated 22-3-2017 stands vacated and “No cross” order passed against defendants on 23-11-2016 stands confirmed.

It is to be noted that plaintiffs have already closed their evidence and since 23-11-2016, matter is pending for defendants' evidence. The matter being quite old, last chance is given to defendants to lead their evidence and on their failure, their evidence would be treated as closed.

Sd/-

(Anil B. Kulkarni)

Civil Judge (J.D.) Shirur Kasar.

Date:- 19-04-2017

