



Order below Exh. No. 18

The present application is filed on behalf of defendant for setting aside no cross order passed below Exh. 13.

02. The defendant has contended that the suit is filed for compensation. On 27.06.2025 the matter is kept for examination-in-chief. On 27.06.2025 the examination-in-chief of plaintiff is recorded. On that day the defendant is absent. Hence, no cross order is passed. The cross examination is necessary for just and proper adjudication of matter on merit. Hence, it is prayed that application be allowed and defendant be permitted to cross examination to plaintiff.

03. Learned advocate for the plaintiff has submitted say and resisted the application. It is submitted that the defendant has not mentioned proper and reliable reason and he further submitted that there is no affidavit and signature of the defendant filed alongwith the application. Hence, it is prayed that the application be rejected.

04. Perused the record, read the application and the say. Heard Ld. advocates for the parties.

05. The present suit is for compensation. The case shows that the plaintiff led her evidence by filing affidavit of examination in chief. The matter is pending for cross examination of plaintiff witness. On 27.06.2025 no cross order

was passed against the defendant. Hence, in order to give fair opportunity to defendant and for just and proper adjudication of matter on merit, the opportunity will have to given to the defendant. Nevertheless, the inconvenience caused to the plaintiff can be compensated by saddling costs on the defendant. Thus, in result following order is passed.

ORDER

- 1) The application allowed.
- 2) The no cross order passed against defendant at Exh. 13 is set aside and she is permitted to cross examine plaintiff witness subject to payment of costs of Rs.1000/- to the plaintiff.

Place: Chikhli
Date: -29.01.2026

(Smt. S.H. Ukey)
Jt. Civil Judge Jr. Dn.
Chikhli