

In the Court of Judge, Co-operative Court Thane at Thane
(Presided over by Smt. S. K. Tonpe, Judge)

Dispute No. CCT 95/2016
CNR No. MHCO04-000124-2016

Mr. Manoj Dubey and another

Disputants

V/S

Sonam Pushpanjali CHS Ltd.

Opponent

Order
(Below application Exh. 38)

1. The present application is filed by the opponent to set aside “no cross” order dated 11/11/2022. The opponent submitted that today above matter is kept for cross examination of disputant no. 2. But advocate for opponent is busy with another matter of 138 court as the said matter was at serial no. 4. Therefore the advocate is not able to attend this Court when the Court is called but after 12.00 p.m. the advocate is present. Therefore it is respectfully submitted that the order of “no cross” dated 11/11/2022 be kindly be set aside.

2. The say of disputant is called. The disputant has filed his say at Exh. 39. The disputant submitted that disputant is agree with the application of opponent. Disputant further stated that a humble request to this Court to allow to cross of disputant no. 2.

3. After hearing both the parties and the documents on record following points arise for my consideration.

Sr. No.	Points	Findings
1	Whether the application is entitled to be allowed ?	In the affirmative
2	What order ?	As per final order

REASONS**AS TO POINT NO. 1 AND 2**

4. After perusing the application, say, proceeding on record and after hearing both the parties it appears that disputant has no any objection to allow the application and set aside order dated 11/11/2022. Considering the reason mentioned in the application, say, argument of the parties, to decide the case on merits and in the interest of justice I pass the following order.

Order

1. Application at Exh. 38 is allowed.
2. The “no cross” order dated 11/11/2022 is hereby set aside.
3. No order as to cost.

Place : Thane
Date : 12 / 12 / 2022

(Smt. S. K. Tonpe)
Judge
Co-operative Court, Thane