

ORDER BELOW EXHIBIT 30

1. The is an application by defendant seeking setting aside of 'no cross' order dated 07/02/2206 passed against him.
2. It is the case of the defendant that, the counsel was not feeling well on the said day. Hence, he prayed for allowing the present application.
3. The plaintiff has strongly objected the application vide his detailed say contending that the reason mentioned regarding the delay is not satisfactory. Hence, the present application deserves to be rejected and in the alternative be allowed subject to heavy cost.
4. Perused the record. Heard the learned advocates for the plaintiff and the defendant.
5. The defendant has filed adjournment application Exh.28 on 07/02/2026 wherein it stated by the counsel himself that the due to non-availability of the important document he cannot cross examine the plaintiff. However, in the present application the reason of heath is assigned by the counsel. On the face there is contradiction in both the applications.
6. Moreover, on 22/01/2025 also the no cross order was passed against the defendant and the same was set aside subject to costs vide order Exh.25. This is the second time no cross order is passed against the defendant.
7. The plaintiff is old lady of 68 years age. The defendant has not cross examined her in spite of the sufficient opportunity. The plaintiff has closed her evidence. The defendant has delayed the suit. There is no merit in the application. The reason is contradictory to the adjournment application filed on the same day. Hence, I proceed to pass following order.

ORDER

1. The application Exh.30 is rejected.
2. The defendant to bear the costs of this application
3. The case be fixed for the defendant's evidence.

Date: 11/02/2026

sd/-
(Atul R. Joshi)
Jt. Civil Judge, J.D.,
Amgaon