

MHKO070008782014



**REGULAR CIVIL SUIT NO. 142 / 2014**  
**Shri Balu Jamadar & Anr. - Vs. - Sou. Suvarna Hukkire &**  
**Oth. )**  
**ORDER BELOW EXH. 31 (I/A No. 1/2024)**

Vide this application, defendant Nos. 1 to 3 and 5 are requesting for setting aside No Cross order and for permission to cross examine PW No. 1. Say of plaintiffs is overleaf the said application.

**02.** Perused application and say. Also perused record and proceeding. Heard learned advocates for both the sides.

**03.** I have carefully gone through record. The suit is of 2014. On 22.07.2019, evidence of plaintiffs is adduced on record. Thereafter, various opportunities were given to defendant Nos. 1 to 3 and 5 to cross-examine the said witness. But they failed to do so. Hence on 31.10.2022 no cross-examination order is passed against them. It is also further seen that on 13.01.2023, they moved this application for setting aside the said impugned order. The suit is for compensation of damages, valuable rights of both the parties are involved in the matter, and therefore, it will be in the larger interest of both the parties, to have decision on merits. Therefore, I am of the view

that application deserves to be allowed, subject to saddling appropriate costs on defendants. Accordingly following order.

**ORDER**

- 1- Application is allowed subject to cost of Rs. 500/- (Rupees Five Hundred only) payable as condition precedent on or before next date.
- 2- Failure to pay the costs by defendant Nos. 1 to 3 and 5 will automatically result into nullity of this order.

Sd/-

( **Anand D. Karbhajan** )

Joint Civil Judge Junior Division,  
Jaysingpur, Tal. Shirol, Dist. Kolhapur.

Place - Jaysingpur.  
Date - 21.02.2024

**Note** - The validity of digital signature of Presiding Officer has expired.

**-: Certificate :-**

I affirm that the contents of the P.D.F. file judgment / order are same, word to word, as per the original judgment / order.

Name of Stenographer	Mrs. Pallavi V. Sasane
Name of Court	Jt. CJD & JMFC, Jaysingpur, Tal. Shirol, Dist. Kolhapur.
Date of Decision	21/02/2024
Judgment / Order signed by the P.O. on	21/02/2024
Judgment / Order uploaded on	22/02/2024