



ORDER PASSED BELOW EXH.46

By way of this application, the defendant Nos.1 to 5 have prayed to set aside no cross-examination order passed against them.

2. It is stated on behalf of the defendants that they are ready to take cross-examination and due to some unavoidable circumstance, they could not conduct cross-examination of witness on last date. Hence, this application.

3. Plaintiff filed his say and opposed to allow this application contending that application is false one. Hence, prayed for rejection of application.

4. Heard both sides and gone through the record. Certainly, the defendants have not given proper reason for absence on last date. However, in the larger interest of justice and in order to decide suit on merit, opportunity needs to be given to them to take cross-examination of plaintiff's witness. Hence, following order.

ORDER

(1) Application is allowed.

2

Special Civil Suit No.27/2012.
CNR NO. : MHKO07-000929-2012.

- (2) No cross-examination order passed against the defendant Nos. 1 to 5 is hereby set aside subject to cost of Rs.100/- payable by the present defendants to the plaintiff and on condition that they shall take cross-examination today itself.

Sd/-

(K.G. Sawant)

Civil Judge Senior Division,
Jaysingpur.

Dt.: 18.07.2019.