

**MHKO120003152018**



**Reg.Civil Suit No.72/2018**

(CNR No.MHKO120003152018)

**Order below Exh.36**

Perused the application and say filed. Heard both sides. The defendants No.1 to 3 filed the present application for setting-aside No-cross order. According to the defendants, they are out of station for administrative work, so they could not meet their Ld. Adv. and failed to attend the Court on the given date and hence they failed to take cross examination of plaintiff No.1 – Dattatraya Govind Korane vide Exh.35, hence ‘No Cross’ order passed against them. Hence they prayed to set aside ‘No Cross’ order passed against them. Plaintiffs filed their say on the leaf of the application and contended that, the reasons are not convincing, therefore, the application may be rejected.

02. Upon perusal of record. It appears that, the defendant No.1 to 3 failed to take cross examination of the plaintiff No.1 within stipulated period. Considering the nature of suit, interest involved in it and considering the reasons stated in the application, fair chance needs to be given to the defendant No.1 to 3 to defend the case against them. Accordingly, I pass following order.

**ORDER**

No Cross order against the defendant No.1 to 3 is hereby set-aside subject to cost of Rs.300/- (Rs.Three Hundred Only) payable to the plaintiffs before next date.

**( V.B.Mulla )**

Civil Judge Junior Division,  
Gargoti

Date : 17/10/2023