

<u>MHKO130003732003</u>	<u>R.C.S. No. 158/2003</u>
	<u>Babu Dattu Hirugade</u> <u>Vs.</u> <u>Anil Yashavant Kulkarni</u>

ORDER BELOW EXH. 157.

1] The defendant no.5 has filed this application for setting aside the No cross order & seeking permission to take cross-examination of the plaintiff's witness.

2] Perused the application and say filed by the plaintiff. Heard both the sides. Defendant No.5 has failed to take cross examination of the plaintiff. Plaintiff has filed suit for perpetual injunction. Considering the reliefs sought and considering the nature of suit, it is necessary to give the opportunity to the defendant to cross-examine the plaintiff for proper adjudication of the suit and for just decision. No reason to disbelieve the grounds. Moreover, the defendant No.5 has to be given an opportunity to cross-examine and contest the suit. Therefore, in the interest of justice. Hence I proceed to pass the following order:-

<u>ORDER</u>	
1.	The application is allowed.
2.	No cross order passed below Exh.156 against defendant no.5 is hereby set aside subject to cost of Rs.200/- [Rs. Two Hundred Rupees only] which is payable to plaintiff.

Kagal.
Date :- 19/06/2026.

(**Pranita S. Patil**)
Jt. Civil Judge Jr. Dn. Kagal.