

ORDER BELOW EXH.45 IN R.C.S. 98/2014

- 1) Perused the application for setting aside No cross order passed against defendant No. 1 and 6 and say filed on it.
- 2) Heard both advocates of parties. Suit is for partition. Due to Covide-19, the defendants could not approach the court. Therefore the no cross order has been passed. Therefore all parties need to be given fair opportunity to cross examine the witness. The application is supported by affidavit. It appears that valuable rights of the parties are involved. If the application is rejected the defendants will suffer irreparable loss. No prejudice will be caused to the plaintiff if the application is allowed. The plaintiff can be compensated by cost. It appears that, the no cross order needs to be set aside. Hence, Considering the above reasons following order is passed.

Order

- 1) No cross order against defendant No. 1 and 6 is set aside subject to cost of Rs 500/- to be paid to plaintiff till next date.

Date:26/07/2022

**(Amol Shriram Shinde)
Civil Judge Jr. Division,
Malkapur-Shahuwadi.**