

MHKO190005372018



ORDER PASSED BELOW EXH.47

IN

R.C.S No.123/2018

Yashvant Ganpati Patil Vs. Shripati Eknath Sonvale

(Date:12/02/2025)

Read the application and say. Heard both the sides. Perused the record. It appears that on 29/11/2023 plaintiff has filed his affidavit of examination-in-chief. Despite of sufficient opportunity defendants failed to conduct the cross-examination. Therefore, on 06/03/2024 my Ld. Predecessor passed No-cross order against defendants. The record shows that plaintiff has filed the present suit for partition and perpetual injunction. The subject matter of present suit an immovable property. The valuable right of defendants is involved in it. In such circumstances if the matter is proceeded without cross-examination, then it would cause prejudice to the rights of defendants. Therefore, no-cross order is to be set aside. Defendants have caused delay. Therefore costs of Rs.1000/- is to be saddled upon them. Hence, I pass following order;

- ORDER -

1. The application below Exh.47 is allowed and No-Cross order dated 06/03/2024 is set aside subject to costs of Rs.1000/- payable to plaintiff on or before next date.
2. Both parties to take note of this order and comply accordingly.

Date:12/02/2025

(R. D. Shinde)
Civil Judge Junior Division,
Radhanagari.