

	<p style="text-align: center;"><u>ORDER PASSED BELOW EXH. 37, IN R.C.S. NO.18/2017</u> (Passed on 13th day of February, 2026) Fulchand Vs. Bhaskar CNR NO.MHLA050022992025</p>
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01. The present application is filed by the plaintiff for setting aside the order dated 24/07/2025, hereby the evidence of the plaintiff was closed for want of offering himself for cross-examination, though his affidavit of evidence was already on record.

02. It is contended that, on the relevant date the plaintiff could not remain present due to his advanced age and age related difficulties and, therefore, failed to offer himself for cross-examination. It is further contended that, the absence was not intentional nor deliberate.

03. Defendant failed to file their say on this application.

04. Perused the application and the record. The reason assigned for absence is reasonable and bonafide. Defendant has not placed any material on record to show that, the plaintiff deliberately avoided cross-examination. In the circumstances, the application deserves to be allowed. Hence, I pass following order.

ORDER

1. The application is allowed subject to costs of Rs.300/-.
2. The order, dated 24/07/2025 passed below evidence affidavit of plaintiff is hereby set aside.
3. The plaintiff shall remain present on next date and offer himself for cross-examination.
4. It is clarified that, no further adjournment shall be granted to the plaintiff for the purpose of cross-examination.

Date:- 13/02/2026
Place:- Ahmedpur

(R.D. Wabale)
Jt. Civil Judge, Sr.Dn. Ahmedpur