

Order below Exh.163 in RCS No.68/2014

Pandit Vs. Bhimrao

By this application defendants have requested to set aside No cross order dated 05/02/2025 passed against them at **Exh.114**, on the grounds stated in the application. Plaintiff has raised objection. Perused application and say. Heard both the sides. Record shows that plaintiff has examined himself as PW No.1 at **Exh.114** and his cross examination came to be partly recorded by defendants on 16/07/2022. Thereafter, the matter got prolonged for one or the other reason. However, later on on 05/02/2025 defendants failed to record his further cross examination, which resulted in passing impugned order against defendants. This application is filed by defendants on 28/03/2025. There is no inordinate delay on the part of defendants in moving present application. Considering the nature of suit, reliefs claimed and to grant an opportunity of fair trial, permission to conduct further cross examination of plaintiff needs to be granted. Hence, I pass following order:-

ORDER

1. No cross order dated 05/02/2025 passed against defendants at **Exh.114** is set aside and defendants are permitted to conduct further cross examination of plaintiff.
2. No order as to cost.

Date : 07/04/2025

(Ashish B. Marlecha)
Civil Judge (Sr.Dn.),
Nilanga, Dist. Latur.