

**:: Order below Exh. 38 ::**

01. This is an application by the defendant Nos. 4 and 6 for setting aside no cross-examination order of P.W. Nos. 1 to 3 below Exh. 34, 35 and 37 respectively. Application is opposed by the plaintiff on the ground that, the plaintiff has intentionally avoided to cross-examine plaintiff's witnesses. Hence, prayed to reject the application.

02. The suit relates to partition of immovable property. Considering rights and interest of parties, suit is required to be decided on merits. For that purpose, defendant needs to be given opportunity to cross-examine plaintiff's witnesses. Therefore, in the interest of justice, application needs to be allowed. For causing delay, plaintiff is required to be compensated. Accordingly, following order.:

**:: Order ::**

- 1) Application is allowed.
- 2) No cross-examination order passed below Exh. 34, 35 and 37 is set aside subject to cost of Rs. 5,00/- ( Rs. Five Hundred only ) payable to the plaintiff.

Sd/-

( U. B. Kalapagar )

Civil Judge Junior Division,

**Deoni.**

Date : 11-11-2019.

I affirm that the contents of the P.D.F. file order are same, word to word, as per the original order.

Name of the Stenographer	M.Y. Wadiwale.
Name of the Court	Shri.U.B.Kalapagar, Civil Judge Jr. Division, Deoni.

**Reg. Civ. Suit No. 36/2015.**  
**CNR No.MHLA160001222015**

Date of Dictation	11/11/2019
Order signed by the P.O. on	11/11/2019
Order uploaded on	11/11/2019