

C. C. NO.122/DV/2022

Darshana Kaushal Sidpara ... Applicant.

Versus

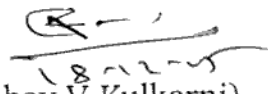
Kaushal Nayan Sidpara & Others ... Respondents.

**ORDER BELOW EXH.43.**

Today the learned advocate representing the applicant pressed this application. The applicant is present. The respondents and their advocate are absent. It is the matter of record that applicant has filed her evidence affidavit on record on 22/01/2025 at Exh.33. There is endorsement on said affidavit by the learned advocate of respondent about receiving the copy of evidence affidavit. However, the respondents failed to take cross-examination of the applicant. This application was filed on record on 22/09/2025. After filing of present application, say of respondents were called. Accordingly, on 20/11/2025 the learned advocate of the respondents submitted on the reverse page of the application that they are ready to take cross-examination of the applicant subject to permission of this court. Taking cross-examination is the valuable right of the respondents, and therefore, permission of this court is not necessary. Today, the respondents and their advocate are absent. No justifiable reason come before the court about their absence. From this conduct on the part of the respondents it reveals that they are not interested to participate in the trial of this application. Hence, it is just and proper to pass 'no cross-examination' order against the respondents. Hence, I pass the following order :-

**ORDER**

The application is allowed as prayed for.



(Vaibhav V. Kulkarni)

Place:- Mumbai.

Date:- 18/12/2025

Addl. Chief Judicial Magistrate,  
5<sup>th</sup> Court, Dadar (At Sewree), Mumbai.