

MHNG100022302022



**ORDER BELOW EXH.32 IN Cri.M.A. NO.247/2022.**

This is an application filed by respondent to set aside no evidence order passed on dated 16/08/2025.

2] It is further contended that as the health of respondent was not well and thereby, he could not remain present before the Court. Hence, prayed to grant the application.

3] On the other hand applicant filed say and opposed the application as the reasons enshrined in the application are not bona-fide and genuine and therefore, prayed to reject the application.

4] After going through the application, say and hearing of both sides. It appears that the reasons stated in application are not bona-fide as the application is not supported with the medical documents. However, it is the settled principle of law that the real controversy between the parties should be decided on merits. Therefore, considering the submissions of both sides if, the application is allowed by imposing proper cost on the part of respondent then, purpose can be sufficed. Moreover, if this application is allowed no prejudiced would be caused to the applicant as the applicant will get an opportunity to cross-examine

to the witness of the respondent. Hence, in the interest of justice I pass following order.

**ORDER**

1. Application below Exh.32 is allowed, subject to cost of Rs.200/-.

Dated :- 11.11.2025

(R.S.Mankar)  
2<sup>nd</sup> Jt. Civil Judge (Jr. Dn.& JMFC),  
Umred.

**CERTIFICATE**

I affirm that the contents of this P.D.F. File Judgment are same, word to word, as per the original Judgment.

Name of the Stenographer :S.B.Ghardinkar, Stenographer(G-III)

Name of the Court : 2nd Jt. C.J.J.D. & J.M.F.C.,Umred.

Date of Order : 11.11.2025

Original copy of order signed by

the presiding officer on : 11.11.2025

PDF copy of order

uploaded on : 12.11.2025