

IN THE COURT OF CIVIL JUDGE SENIOR DIVISION, RAMTEK.

Spl.C.S. No.78/2023
Ravindra Kisanlal Jaiswal Vs.
Suman Prabhu Lanjewar & or.

Order below Exh.62

The defendant no.3 has filed an application for setting aside no cross examination order dated 19/04/2025. Ld. Advocate of the defendant no.3 has submitted that due to his illness, he could not remain present in the court therefore, no cross-examination order was passed. Ld. advocate of the defendant no.3 has further submitted that in the interest of natural justice, order dated 19/04/2025 may be set aside.

2. On the other hand, Ld. Advocate of plaintiff has put his formal objection.

3. Heard both sides. I must mention here that the reason given by defendant no.3 is not just. However, in order to decide the suit on merit and in the interest of natural justice, defendant no.3 is required to be given fair chance to defend his case. Therefore, order dtd. 19/04/2025, is required to be set aside subject to cost of Rs.500/-. Hence, I proceed to pass following order.

ORDER

- 1) Application is allowed, subject to cost of Rs. 500/-.
- 2) Costs be given to the plaintiff after payment being made.

Ramtek.
Date : 03.05.2025

[S.M. Sarode]
Civil Judge Senior Division,
Ramtek.