

ORDER BELOW EXH.36

(Passed on 23/03/2021)

This application is filed by opponent for grant of permission to cross-examine the applicant No.2.

2. Perused the application, say and record of the case. Heard Ld. Advocate Shri. N. M. Hire for applicants and Ld. Advocate Shri. R. D. Gujrati for opponents.

3. The original application (Exh.1) is filed for condonation of delay for setting aside ex-parte decree. The applicant No.2 has filed his examination-in-chief on 15/09/2018. The order of no cross is passed on 01/02/2019. The application for setting aside order of no cross is moved on 05/02/2020. Advocate Shri. R. D. Gujrati has appeared for opponents on 18/10/2019. The original application is for condonation of delay. In order to adjudicate the main application on merit it is necessary to give opportunity to both parties to adduce their evidence. In view of principles of natural justice it is necessary to give permission to cross-examine applicant No.2. However, considering delay caused on part of opponents following order is passed :-

:- ORDER :-

1. The application (Exh.36) for grant of permission to cross-examine applicant No.2 by opponents is granted subject to costs of Rs.500/-. Opponents are directed to comply order as to costs on or before next date.
2. Out of above cost amount of Rs.500/- applicants are entitled for Rs.250/- and remaining Rs.250/- be credited to T.L.S.A. Sinnar.

3. Parties are directed to proceed with further hearing effectively.

Sd/-XXX

(**D. S. Jadhav**)

Jt. Civil Judge, Junior Division,
Sinnar

Place : Sinnar

Date : 23/03/2021