

R.C.S. No. 38/ 2014
Sunita V/s. Tukaram +6
CNRNOMHOS150001782014

ORDER BELOW EXH. 51

- 1) By this application defendant no. 3 prayed to set aside no cross order dated 24-01-2022. Perused the application and say filed thereon. Heard, respective Ld. Counsels for the parties.
- 2) It is contended that the defendants were keeping ill since last few days and therefore, they could not remain present on the date of hearing and hence, instant application is being preferred.
- 3) The Ld. Counsel for the plaintiff opposed the said application on the ground that the defendant no. 3 is intentionally prolonging the matter. Thus, he prayed to reject the said application.
- 4) From the record it is seen that though the defendant no.3 has not filed any document pertaining to her medical condition but it is a settled principle that no party shall remain unheard. Similarly, in order to decide the matter effectively and on merit one opportunity needs to be given to the defendant no.3. Considering the above principle of law in mind, I proceed to pass the following order.

ORDER

- 1) Application is hereby allowed.
- 2) No cross order dated 24-01-2022 against the defendant no. 3 is set aside subject to payment of cost of Rs. 150/- to the plaintiff.

Date: 22/08/2022

Sd/-
(P.S.Thakare)
Jt.Civil Judge, Junior Division
Paranda

CERTIFICATE

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

Name of the Stenographer	Shri. V.N.Phurade
Name of Court	Shri. P. S. Thakare, Jt. C.J.J.D. and J.M.F.C., Paranda
Date of Dictation	22/08/2022
Judgment signed by the P.O. on	22/08/2022
Judgment/Order uploaded on	22/08/2022