

IN THE COURT OF HON'BLE CJJD PIMPRI AT PIMPRI

RCS NO. 140/2016

Smt. Kalawati Barne and Others -----Plaintiffs

V/s

Shri. Dattatray Barne ----- Defendant

Application on behalf of Defendant is as under-

1. That Plaintiff has filed suit for declaration and Partition. In this matter Plaintiff has filed Affidavit of Examination in chief.
2. That on 3/5/2024 Hon'ble Court Please to pass No Cross Order in this matter as the Defendant his advocate absent on the fixed date. However, Defendant has gone out of station for family function, hence unable to remain present and instruct his advocate.
3. That the Advocate for Defendant was engaged in important case matter in District Court Pune. Hence advocate for Defendant unable to remain present and conduct the cross.
4. That the Defendant and his Advocate not intentionally remain absent on 2024. Defendant is ready to conduct the matter and cooperate the Hon'ble Court for speedy disposal.



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 Adv. for Plaintiff
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The application is moved to set aside "no cross" order dated 03/05/2024 on the ground that the defendant namely Dattatray Barne is ready to conduct the matter and cooperate the Hon'ble Court for speedy disposal. The reason being the defendant is ready to conduct the matter and cooperate the Hon'ble Court for speedy disposal. The reason being the defendant is ready to conduct the matter and cooperate the Hon'ble Court for speedy disposal.

no cross order) set aside subject to cost of Rs. 1000/- to be paid to the plaintiff by the defendant.

Kalawati Barne Plaintiff

JTB, Pimpri
 08/10/24

5. That if Hon'ble Court set aside the No Cross Order there will be no harm to the Plaintiff, however Hon'ble Court not set aside of order No Cross order there will huge loss to the Defendant and true facts will not come before this Hon'ble Court.

6. That the Defendant has prima facie case and he has great hope in his success. In the interest of natural justice defendant has given chance to Cross the Plaintiffs.

7. It is therefore prayed that-

a) Application may kindly be allow.

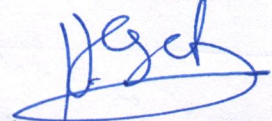
b) No Cross Order may kindly be set aside in the interest of justice.

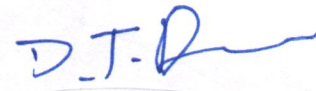
c) Any other order may kindly be passed in interest of justice.

An Affidavit is filed along with this Application.

Pune

Date : ~~09/08/2024~~ 13-9-2024


Advocate for Defendant


Defendant