

Order Below Exh-36.

The application is filed by the defendant for setting aside no cross order dated 16.01.2024. Plaintiff filed say overleaf to the application.

2. Heard advocate Shri Bansode for defendants and Shri Jadhav for plaintiff. Perused application and say and order below Exh.26.

3. The no cross order passed below Exh.26 is on 16.01.2024. Thereafter, the present application is filed today. The suit is for partition, declaration and injunction, The rights of the parties as regards the immovable property are involved in the suit. Therefore, for the just decision of the case and to decide the matter on merit the permission to cross-examine the plaintiff, is required to be given to the defendants. Therefore, considering the interest of natural justice and for awarding sufficient opportunities to the parties of cross-examination the application is required to be allowed, subject to costs. Hence, the following order :

ORDER

1. Application is allowed subject to costs of Rs.200/- and no cross order is hereby set aside.
2. Defendant to cross-examine plaintiff on next date.

Date : 21.02.2024.

[M.R. Kamat]
Jt. C.J.J.D., Pandharpur.

CERTIFICATE

I affirm that, the contents of this PDF file Judgment/Order are same word to word, as per the original Judgment / Order.

Court	:	Jt. C. J. J. D. Pandharpur.
Name of Stenographer	:	R.M.Gogi.
Date	:	21/02/2024.
Judgment/Order signed by the Presiding Officer on	:	21/02/2024.