

ORDER BELOW EXH.81 IN REG. CIVIL SUIT NO.115/2012

(Dattatraya Gavhane etc Vs. Vacchala Gavhane etc)

[CNR No.MHSO12-000153-2012]

1. This is an application by defendants no.1 & 2 for setting aside 'No Cross' order passed against them. Perused application and say filed by plaintiffs. Heard both. Perused record of the suit.

2. This court is first trial court, where every opportunity should be given to the parties to prove their case. No cross order against defendants was passed on 10.10.2019 below Exh.31. Thereafter, present application is filed on 04.10.2021. Since March 2020 there was lock down from time to time. Submission of plaintiffs, that defendants are willfully trying to prolong the matter, is not sustainable. However, in the interest of justice and to decide the matter on merit, it will be just & proper to allow the application by imposing costs on defendants no.1 & 2. Hence, following order.

ORDER

1. The application is allowed subject to costs of Rs.200/- (Rs. Two hundred only).

Sd/- xxx

Date : 09/02/2022

(**Sampurna K. Karande**)
Jt. Civil Judge, Sr. Div., Barshi.

CERTIFICATE

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

- a) Name of the Stenographer : R.P. Sakinal, Steno. Grade-2
- b) Court : Jt. Civil Judge Sr. Div. and
Addl. C.J.M., Barshi.
- c) Date of Judgment/Order : 09.02.2022
- d) Judgment/Order signed by
the Presiding Officer on : 09.02.2022
- e) Judgment/Order uploaded on : 09.02.2022