

Order below Exh. 24 in R.C.S.No.209/2015

Heard both sides. Defendant no.1 made this application for setting aside no cross order passed against him.

2. Defendant no.1 alleged that he could not give instructions to his advocate due to his illness. Hence, no cross order was passed against him. He is confident that he will win this case. Hence, this application.

3. Plaintiff objected stating that, this application is not true and legal. The reason mentioned in this application is false and mischievous. No purshis or document is produced in support of such contention. Plaintiff alternatively prayed for costs of Rs.2000/-.

4. Perused record. The suit is for partition and decree of the court is challenged . Considering issues involved in the suit as to legitimacy of the plaintiff , I think, it is appropriate to give the defendant no.1 to defend himself by conducting cross of the plaintiff . No harm would cause to the plaintiff and she can be compensated for delay. Hence, following order:-

ORDER

No Cross order passed against defendant no.1 is set aside subject to payment of costs of Rs.400/- by defendant no.1 on or before next date.

Date: 29/01/2019.

(R. S. Dhadake)
3rd Jt. Civil Judge, J.D.Barshi.

Certificate

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

Name of Stenographer	:	R.H.Lasane.
Court	:	3rd JtCJJD & JMFC, Barshi.
Date:	:	29/01/2019
Judgment/Order signed by the presiding officer	: :	29/01/2019
Judgment/Order uploaded on	: :	21/02/2019