

ORDER BELOW EXH.122

IN

R.C.S.No.380 of 2023

(Shekhar Giram Vs. Rameshwar Badal etc.)

This is an application filed by defendant Nos.1 and 3 seeking to set aside the "no cross" order dated 18.07.2025 passed below Exh.87 & order dated 19.09.2025 passed below Exh. 120. It is submitted by the defendants that due to transfer of suit to this court, defendants not having knowledge of present suit. Defendants were in Pune for their livelihood and therefore, unable to conduct cross-examination of the plaintiff.

2. The application is opposed by the plaintiff by filing a say on the back side of the application. It is contended that the defendants have intentionally avoided cross-examination and the reasons stated in the application are not genuine. It is prayed that the application be rejected, or if allowed, costs be imposed.

3. Heard the learned advocates for both parties.

4. Perused the record. The present application has been filed on 14.11.2025. The "no cross" order was passed on 18.07.2025 & 19.09.2025. The suit is instituted for specific performance of contract. It is a well-settled principle of law that both parties must be given equal opportunity to present their case. In order to decide the matter on merits, and considering the reasons put forth in the application, I find it just and proper to allow the application.

ORDER

1. The application is allowed subject to cost of Rs.100/-.
(Rs.One hundred only).
2. Costs shall be given to plaintiff.

(CNR No.MHSO220047082023)

3. No cross order dt. 18.07.2025 & 19.09.2025 is hereby set aside.

Place : Karmala
Date : 02.01.2026

(S.M.Ghuge)
Civil Judge, Senior Division,
Karmala, Dist.Solapur

(CNR No.MHSO220047082023)

CERTIFICATE

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

Name of Clerk : R.P.Kharade, J.C.
Court Name : Civil Court Senior Division, Karmala
Date : 02.01.2026

Order/Judgment signed
by the Presiding Officer on : 02.01.2026

Order uploaded on : 02.01.2026