



MHST060012012017

ORDER BELOW EXH. 69 IN R.C.S. NO. 324/2017

By way of present application, the plaintiff has prayed for closer of cross-examination of deceased plaintiff Arun Bhiva Awate. Plaintiffs submitted that the defendant has partly cross-examined deceased plaintiff Arun Awate. Thereafter, he died.

2] Defendant opposed the application on the ground that plaintiff has not taken all legal heirs of deceased plaintiff on record. Therefore, the application is not maintainable.

3] Heard both sides. Perused the application and say. The defendant has partly cross-examined the deceased plaintiff. Legal heirs of deceased plaintiff are taken on record. It is matter of appreciation of evidence that whether the evidence of deceased plaintiff should be taken into consideration or not. That can be consider at relevant stage. Now, the plaintiff is directed to lead further evidence. The defendant has right to cross-examine the plaintiff's witnesses. With these observations, the present application is disposed off.

Place : Dahiwadi
Date : 11.11.2025

(S. S. Gadve)
Civil Judge Junior Division,
Dahiwadi.