

ORDER BELOW EXH. 105 IN RCS NO. 15/2012

(CNR-MHST070000912012)

Ananda Baburao Patil Vs. Rajaram Baburao Patil and other

The defendant no. 1 and 2 have filed an application to set aside “no cross examination” order. Learned advocate of defendant no. 1 and 2 has submitted that, he could not get information regarding calling of the case on time, therefore, he could not appear to conduct cross examination.

2. On the other hand, Plaintiff has filed his say below Exh.110 and submitted that, reason given by defendant no. 1 and 2 is not just, therefore, present application may be rejected.

3. Heard both sides. I must mention here that, the reason given by the defendant no. 1 and 2 is not justifiable. However, in the interest of natural justice and considering valuable rights of the defendant no. 1 and 2 in the suit property, “no cross examination order” is required to be set aside subject to reasonable cost of Rs. 500/-. Hence, I pass following order.

ORDER

1. Application is allowed subject to to cost of Rs. 500/-.
2. Cost be given to the plaintiff.

Date : 11.07.2022

(S. M. Sarode)
Jt. Civil Judge, Jr. Division, Karad.