

ORDER BELOW EXH. 60 IN RCS NO. 353/2017
(CNRMHST070028292017)
Prakash Pawar Vs. Gangubai Pawar

The defendants have filed an application to set aside “no cross examination” order. Learned advocate of defendants has submitted that, he was ill and he informed to defendants to remain present in the court but defendant could not have remain present in the court on 13/10/2022 and court was pleased to pass no cross examination order. Learned advocate of defendants has further submitted that, in the interest of natural justice, present application may be allowed.

2. On the other hand, plaintiff has filed his say and submitted that, the reason given by defendant is not just, therefore, present application may be rejected.

3. Heard both sides. I must mention here that, the reason given by the defendants is not justifiable. However, in the interest of natural justice and considering valuable rights of the defendants 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 cost of Rs. 500/-.
2. Cost be given to the plaintiff.

Date : 14.10.2022

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