

R. C. S. No. 44 of 2009.

ORDER BELOW EXH. 149.

(CNR No. MHST130004792009)

(Maruti Dhondiba More Vrs. Chandar Ramchandra Pawar)

This is an application filed by the defendant to set aside no cross order passed against defendant at Exh. 125. The plaintiff filed the say and opposed the application.

02. The learned Advocate Shri. U. V. Panval for the defendant submitted that in the interest of justice, it is necessary to set aside the no cross order and seeking permission for taking cross examination of the plaintiff at Exh. 125.

03. The learned Advocate Shri. S. B. More for the plaintiff submitted that reason is not mentioned in the application and affidavit is not filed by the defendant. Hence, prayed to reject the application.

04. Heard the learned advocate Shri. U. V. Panval for the defendant and learned advocate Shri. S. B. More for the plaintiff. It appears that, matter is at the of argument and the defendant placed this application. Perused the record. In the interest of justice and to contest the matter on merits, it appears proper to grant opportunity to the defendant. It appears that matter is old. To compensate the delay, it appears proper to impose costs of Rs. 700/- upon the defendant. Hence, the order -

ORDER

01. The application of the defendant is allowed subject to costs of

Rs. 700/- and pay to the plaintiff.

02. No cross order passed against the defendant is set aside.
03. After compliance of the costs the defendant is allowed to take cross examination of the plaintiff at Exh. 125.

Patan, District Satara.
Date: 12.10.2023.

(Chetna Y. Neware)
Jt. Civil Judge Junior Division, Patan.