


MHTH170005532013 	<u>R.C.S./1700083/2013</u> Sau. Darshna Thakur Vs. Shri Mahendra Vasudev Patil & Ors.
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ORDER PASSED BELOW EXH.251.

1] By way of this application, defendant no. 20 has prayed to set aside no cross order against him on evidence affidavit filed by the plaintiff Darshana Thakur.

2] Learned advocate for plaintiff has filed his say and opposed to allow this application stating that, on 07/08/2025, defendant was absent and hence no cross order was passed. Defendant has moved this application on 29/08/2025, but has not mentioned any proper reason for his absence on that day and for not conducted the cross. Hence, prayed for rejection of application.

3] Heard learned advocate for plaintiff. Defendant and his advocate are absent though repeatedly call. There appears to be no proper reason on the part of defendant to not to conduct the cross on 07/08/2025. Today, plaintiff is present in the Court since morning, but defendant and his advocate are absent. Matter is of the year 2013. Still, I deem it fit to grant one more chance to defendant to conduct the cross on condition that he should conduct cross today itself. In case of failure, no cross order will be passed against defendant. In result, I pass following order -

ORDER

- a] Application at Exh. 251 is hereby allowed and defendant nos. 20 is permitted to conduct cross-examination of plaintiff on condition that he should conduct the cross today itself.
- b] In case of failure, matter will proceed further when cross of plaintiff on the part of defendant no.20.

Palghar
Date : 30/08/2025

(K. G. Sawant)
Jt. Civil Judge Senior Division,
Palghar.