

MHTH170005812016



REGULAR CIVIL SUIT NO.66/2016

Prabhavati Moreshwar Wade & anr.

vs.

Rajani Ramakant Sankhe & ors.

**ORDER BELOW EXH.110**

By way of this application, defendants have prayed to set aside no cross order dated 23.02.2026 passed below Exhs.106 and 107 i.e. on evidence affidavits of Pushpa Sankhe and Vinod Dukle.

2] Learned advocate for plaintiffs filed his say stating that, plaintiffs have intentionally avoided to conduct the cross-examination. Hence, prayed to reject the application.

3] Heard, both sides and gone through record. During argument, learned advocate for plaintiffs argued that, if application is to be allowed, heavy costs is to be imposed on the defendants. On the other hand, learned advocate for defendants has submitted that reasons stated by him in the application is to be considered and permission may be granted to him to conduct the cross-examination without any costs. Matter is of year 2016. When matter was fixed for final argument, some additional issues were framed and thereafter, plaintiffs have filed additional evidence of witness. Record shows that, on that day defendants did not conduct cross-examination, though opportunity was given, however, in the larger interest of justice and in order to decide the matter on merit, I deem it fit and proper to give opportunity to defendants to conduct cross-examination of plaintiffs by imposing costs. In result, I pass following order.

**ORDER**

1] Application is allowed.

2] No cross-examination order passed against defendants

is hereby set aside and defendants are permitted to conduct cross-examination of witnesses below Exhs.106 and 107 on payment of costs of Rs.500/- payable by defendants to the plaintiffs on or before next date.

- 2] In case of failure on the part of defendants to comply this order, matter will proceed further without cross-examination on the part of defendants.

Date : 24.03.2026  
Palghar

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