

**ORDER BELOW EXHIBIT 57 IN R.C.S. NO. 71/2017**  
**(Yamunabai Vs. Prabhabai & other 1)**

1. This is an application made by defendant No.2 Dinkar to set aside no cross order passed against him on 11/12/2024. Plaintiff has filed her say on the application itself.

2. Heard both sides. Read the application and say. Perused the record and proceeding. The P.W.1 Yamunabai adduced her evidence an affidavit on 12/06/2018 vide Ext.20 and further examination of chief was recorded on 22/11/2019 and matter was posted for cross examination of said witness. But defendant No.02 failed to take cross examination of said witness. Hence, no cross order passed on 11/12/2024. It appears that this is a suit for possession. Despite giving sufficient opportunity to defendant No.02 failed to take cross-examine of P.W.1, hence no cross order passed against defendant No.02. But now the defendant NO.02 is seeking liberty to take cross examine to P.W.1 by setting aside no cross order.

3. It is well settled that opportunity of natural justice should be given to everyone. It is also well settled that no one should be condemned unheard. In order to enable the court to effectively decide the matter, it is necessary to set aside no cross order passed against said defendant No.02. It is therefore, necessary in the interest of justice to allow the application.

**Order**

- 1) The application is allowed Subject to cost of Rs. 200/- (Two hundred only) to be paid to the P.W.1 by defendant No.02.
- 2) The cost shall be paid by defendant on or before next date, in case of failure the application will stand rejected.

Sd/-

Date : 05/03/2025

**(Khwaja C. Kalal)**  
Jt. C.J.J.D., Mangrulpir  
Tal. Mangrulpir, Dist. Washim.

**CERTIFICATE**

“ I affirm that the contents of this P.D.F. file order are same word for word as per original order.”

Name of Steno : Shri. A. B. Padole (Grade – III)

Court Name : Shri. Khwaja C. Kalal,  
Jt. C.J.J.D. & J.M.F.C., Mangrulpir

Date of Order : 05/03/2025

Order signed by presiding : 05/03/2025  
officer on

Order uploaded on : 06/03/2025