



CNR.No.MHWS080007402017

ORDER BELOW EXH.67

1. The present application made by the defendant 06 to 10 to set aside no cross order passed against them on 09/01/2023 at Exh.66. The plaintiff filed his say thereon.
2. Read the application and say. Heard both sides.
3. Perused record and proceeding. It appears that, the present suit is filed for Partition and separate possession. The present suit is old. It is seen on record that the plaintiff has filed affidavit in lieu of examination in chief on 04/10/2022 and thereafter some adjournment granted to the defendants for cross examination but they failed to proceed. On 09/01/2023 no cross order has been passed against them.
4. At present the matter is kept for the evidence of plaintiff and meantime the defendant has moved this application. The defendant has not filed affidavit to support the application. But, it is not only the ground to reject the application. The defendant is ready to cross examination of the plaintiff.
5. The considering subject matter and valuable rights of parties involved in the application. It is well settled that opportunity should be given to everyone. It is also well settled that no one should be condemned unheard. In order to enable the court effectively and completely adjudicate upon and settle all the questions involved in the suit. If the defendant is permitted to cross-examination to the plaintiff, no harm will be caused to the plaintiff. On the other hand, it helps adjudication of the controversy between parties. No doubt, delay caused on the part of applicant. Therefore, the defendant No.06 to 10 needs to be compensated by way of some sort of costs. Thus, I following order.

ORDER

1. Application at Exh .67 hereby allowed on the costs of Rs. 200 /-
2. No cross-examination order passed below Exh.66 dt.09/01/2023 against the defedants No.06 to 10 hereby set aside.
3. The defendants No. 06 to 10 permitted to cross examine on payment of costs .
4. The defendants No.06 to 10 directed deposit costs amount in court or to pay to the applicant on or before next date.
5. If they fails to pay or deposit accordingly this order atomatically cancelled.

Sd/-

(Smt.P.M.Kamble)

**Jt. Civil Judge Junior Division,
Risod.**

Date :- 20/01/2023

Certificate

I affirm that, the contents of this PDF file Order/Judgment are same word to word, as per original Order/Judgment.

Name of Stenographer	:-	V.V.Gaykwad (Jr.clerk)
Court	:-	Jt. Civil Court,J.D.,Risod.
Date:-	:-	20/01/2023
Judgment/Order signed by the Presiding Officer	:-	20/01/2023
Judgment/Order uploaded on	:-	20/01/2023