



Pages : 1

Unanswered Reply Follow Thread

New Topic

After ex-parte proceedings have been initiated and not yet set aside, can the defendants be allowed to cross-examine plaintiff witness who submitted his affidavit after the ex-parte proceedings were initiated

Share



5 months ago 5 Replies

Report



RAHUL GUPTA

MANAGER

Points: 103

In a case of money suit the defendants were declared ex parte due to their absence on the day of hearing. Then I submitted my affidavit as plaintiff's evidence and also the documents were marked as exhibits at a later date and then the case was set for Final Hearings . After this the defendant moved an application u/s Order 9 Rule 7 for setting aside Ex-Parte proceedings , but the same was rejected on legal grounds as it did not disclose a " Good Cause " for their absence on the day of hearing . Now they have moved an application that they be allowed to cross-examine me a as a plaintiff witness, though they were declared Ex-Parte on an earlier date . What is the position of law on this application. Can they be allowed to cross examine a plaintiff witness whose affidavit was submitted after Ex-Parte proceedings were initiated .? Ex-Parte proceedings have not yet been set aside .

Reply

Popular Discussion

Settlement of personal loan

layout/plot issue

Notice from court of small causes - reg motor accident claim

Neighbour annoyance

Is a compromise decree as valid as a contested decree?

I got overcharged by vendor on old delhi railway station

Pl.help a poor,insolvent,chennai firm,2realise arbtrn award!

view more »





GST Law and Analysis
with conceptual procedures
Author: Bimal Jain

[BUY NOW](#)

5 months ago



yes they are eligible

Adv Deepak
Joshi
+91701782151

Advocate

Likes: 265

Points: 6334

Reply

5 months ago



It is not so easy to understand the proceedings it is just like hide and seek game or police and thief game snake and ladder game ,here both plaintiff and defendants advocates have sections and provisions

Shashi Dhara

Likes: 250

Points: 3849

Reply

5 months ago

yes....you can cross examine them.

Total likes : 1 times



Jehangir Gani

👍 Likes: 2

Points: 26

↩ Reply

🕒 5 months ago



RAHUL
GUPTA ▾

MANAGER

Points: 103

Sir, could you please advise which rulings would not favour such decision of cross-examination by defendants .

↩ Reply

🕒 5 months ago



RAHUL
GUPTA ▾

MANAGER

Points: 103

Sir, could you please advise which rulings would not favour such decision of cross-examination by defendants .

↩ Reply

LEAVE A REPLY

[Post Comment](#)

You are not logged in . Please login to post replies

[Click here to Login / Register](#)

- This is a public forum. Avoid posting content which you do not wish to disclose in public.
- Use like button to convey your appreciation.
- Maintain professionalism while posting and replying to topics.
- Try to add value with your each post.

[Previous Thread](#)

[Next Thread](#)

Related Threads

- Pleading, cross examining
- Where I will get proceedings of settlement tehsildar?
- Is affidavit required for translations modi - marathi
- Two rcs- can there be two parallel recovery proceedings !
- Order 22 rule 04 of the cpc substitution petition after allowed how much late period is granted to correct the plaint?
- Can plaintiff cross examine defendant
- Ex parte order
- In CPC we can set aside on ex partner order
- Admissibility of affidavit in evidence by defendant w/out ws
- How to set aside admitted appeal

Subscribe to the latest topics :

Enter Email

Search Forum:

Search Forum

Forum Home
Forum Portal
Settings

Popular Threads
Today's Topic
Thread With Files

Today's Posts
Post New Topic
Recent Posts

Top Threads This Month
Unreplied Threads

MENU

Jobs
Coaching
Events
Bare Acts

Bookmarks
Legal Dictionary
Files
Judiciary

Notifications
Poll
Video
Top Members

Forms
Scorecard
Today's
Birthdays

RSS
Rewards
Lawyers Search

About
We are Hiring
Advertise
Terms of Use

Disclaimer
Privacy Policy
Contact Us

Our Network Sites



Send Me Newsletter

Email address...





© 2019 LAWyersclubindia.com. Let us grow stronger by mutual exchange of knowledge.