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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

WRIT PETITION NO.10825 OF 2015

Ajay s/o Shantilal Lunkad (Jain),
Age : 42 years, Occu. Business,
R/o Wallabh Nagar, Parlivaijnath,
Dist. Beed

..PETITIONER
(Orig. Plaintiff)

VERSUS

Sudarshan s/o Sadashiv Kale,
Age : 48 years, Occu. Contractor,
R/o Ravivar Peth, Ambajogai,
Dist. Beed

..RESPONDENT
(Ori. Defendant)

Mr Suresh W. Munde, Advocate for petitioner

CORAM : N.W. SAMBRE, J.

DATE : 17th November, 2015

ORAL ORDER :

By the two separate orders dated 26th June, 2015, learned Joint Civil Judge Junior Division, Ambajogai, in Regular Civil Suit No.103 of 2008, has allowed Exhs.57 and 59, i.e. applications for setting aside “no cross” order and closure of evidence of the defendant by permitting him to lead the evidence.

2. While questioning the legality of the impugned orders, learned Counsel appearing on behalf of the petitioner would urge that the suit is of 2008 and no reasonable ground is narrated for setting aside both the

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orders. According to him, it is nothing but delaying tactics adopted by the defendant.

3. Having perused the orders and caused cited in the applications, it is noted that the orders were passed on 26th June, 2015 in favour of the defendant permitting him to cross-examine the plaintiff and also to lead his own evidence.

4. In my opinion, the orders impugned herein appear to have been passed in the interest of justice and the defendant is already put to condition by the learned Trial Court. In that view of the matter, no case for interference is made out. Writ Petition stands rejected with no order as to costs. However, in the facts of the case, hearing of the civil suit is expedited.

(N.W. SAMBRE, J.)

amj