

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CIVIL REVISION APPLICATION NO.237 OF 2014

Vitthalrao Gorde Patil
and anr.

..Applicants

Versus

The State of Maharashtra ..Respondent

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Mr.P.F.Patni, advocate for applicants

Mr.P.R.Katneshwarkar, advocate for respondent -
sole

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CORAM : M.T. JOSHI, J.

DATE : JUNE 11, 2015

PER COURT :

Heard both sides.

2] Both sides agreed that the matter may be
remanded back to the trial Court.

3] It is an admitted fact that the application
for restoration of the suit is also pending before
the trial court. Reading of the present petition
and the order of the trial court would show that

reliance on the same facts is made in both the applications.

4] In the circumstances, following order :-

a] Civil Revision Application is hereby allowed without any order as to costs.

b] The impugned order of learned trial Court is hereby set aside.

c] Considering the length of cross-examination of the respondent already undertaken by the respondents, it is hereby directed that the trial Court shall take proper care that the cross-examination would end within reasonable period.

d] Both the applications be disposed of together on the same set of facts and on the same evidence led by the parties.

e] Both the parties are directed to appear before the trial Court in both the proceedings on 17th June, 2015

[M.T. JOSHI, J.]

kbp