

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO.8705 OF 2014

The Maharashtra State Financial Corporation .. Petitioner

Versus

State of Maharashtra and others .. Respondents

Mr. Chandrashekhar Kher i/by Shamika Ranade, for the Petitioner.

Mrs. V. S. Nimbalkar, AGP for the Respondent No.1.

Mr. Mayuresh S. Lagu, for the Respondent No.2.

Ms. Bhavika S. Kuperkar i/by Mr. A. V. Chatuphale, for the Respondent No.4.

CORAM : R.M. SAVANT, J.

DATE : 2nd SEPTEMBER, 2015

PC.

1. The above Writ Petition takes exception to the order dated 04.03.2014 passed by the Civil Judge, Senior Division, Kalyan, by which order the request made on behalf of the Present Petitioner i.e. the Defendant No.2 for postponement of the cross-examination of the Plaintiff's witness i.e. PW-1 was rejected. The Learned Counsel appearing for the Plaintiff on instructions states that he has no objection if the PW-1 is cross-examined, but a time frame should be fixed for the same. In view of the said statement, the impugned order dated 04.03.2014 is quashed

and set aside. Resultantly, the Defendant No.2 i.e. the Petitioner herein would be entitled to cross-examine the P.W.-1. The parties to appear before the Court of the Learned Civil Judge Senior Division, Kalyan before whom the suit is pending on 10.09.2015 with a copy of this order. The Learned Civil Judge Senior Division, Kalyan would thereafter fix the schedule for the cross-examination of P.W.-1. The said cross-examination would be continuous and would be completed within three dates as would be fixed by the Trial Court. The three dates would be from 10.09.2015 on which date the parties are to appear before the Learned Civil Judge Senior Division, Kalyan. With the aforesaid directions, the Writ Petition is disposed of.

[R.M. SAVANT, J]