

HON'BLE SRI JUSTICE DILIP B. BHOSALE

CIVIL REVISION PETITION Nos. 4523, 4524, 4525 AND 4526 OF 2014

PC:

These civil revision petitions are directed against separate orders, both dated 10-07-2014, disposing of I.A Nos.1050, 1051, 1052 and 1053 of 2014 in O.S No.270 of 2010.

It is clear from the impugned orders that despite several opportunities, the petitioner – defendants did not cross examine PW 1 and PW 2 and, therefore, learned Judge closed the case for arguments.

Learned counsel for the petitioners submits that the petitioners would be satisfied if they are allowed to cross examine PW 1 and PW 2 on payment of costs of Rs.2,500/- to each of them. The petitioners undertake to complete the cross examination on the date/s fixed by the Court below for the same.

I have perused the orders passed by the Court below. Though I do not find anything wrong in the observations made in the orders about the conduct of the petitioners, having regard to their age and in the interests of justice, I deem it appropriate to dispose of all the four C.R.Ps with the following directions:

“The respondent – plaintiff shall keep PW 1 and PW 2 present in the Court for cross examination on the date/s fixed by the Court below. The Court below shall complete the recording of cross examination, within a period of one month from today. Learned counsel for the petitioners is directed to communicate this order to the Court below within a period of one week from today. Learned counsel for the petitioners or the petitioners shall not seek any adjournment for cross examination and shall cross examine the witnesses on the date/s fixed by the Court below and shall proceed to advance final arguments on the date fixed by the Court below. Learned counsel for

the respondent also joins him in making the request to hear the arguments expeditiously. The Court below accordingly shall hear the arguments and decide the suit as expeditiously as possible, and preferably within a period of four months from today. The petitioners to deposit Rs.5,000/- with the respondent – plaintiff to be paid to PW 1 and PW 2 when they appear for cross examination. It is made clear that if the petitioners seek adjournment on any ground whatsoever, they shall deposit Rs.5,000/- for each adjournment as costs in the Court. In view of this order, the orders impugned in the present C.R.Ps render ineffective.”

With these observations, all the four C.R.Ps are disposed of.

Miscellaneous petitions, if any, also stand disposed of.

DILIP B. BHOSALE, J

17-04-2015

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Note: Furnish CC today.

B/O