

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

BENCH AT AURANGABAD

WRIT PETITION NO.14670 OF 2019

TERKHEDA CHEMICALS PVT LTD THROUGH ITS MANAGING
DIRECTOR

VERSUS

ULKA PRADEEP JAIN AND OTHERS

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Advocate for Petitioner : Mr.Mahendra B. Kolpe

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CORAM : RAVINDRA V. GHUGE, J.

DATE : 6th December, 2019.

PER COURT :-

1. The petitioner, original claimant in L.A.R.No.48/2017, is aggrieved by the last chance granted on 05/04/2019 to the objector, respondent No.1 in this petition, for presenting herself for cross-examination. Grievance is that respondent No.1 filed an affidavit in-lieu of examination-in-chief in the said proceeding on 07/04/2018. Since then, she is seeking adjournments on various pretext and is not presenting herself for cross-examination. It is

pointed out that from 07/04/2018 till today, despite the petitioner being desirous of cross-examining her, she is not presenting herself.

2. I find that the impugned order dated 05/04/2019 is already fructified and it would be pointless to entertain this petition as against an adjournment granted on 05/04/2019.

3. In view of the above, this petition is disposed off by directing the L.A.R. Court that the petitioner be permitted to cross-examine respondent No.1 on the ensuing date and if the said respondent remains absent for a reason, which cannot be said to be reasonable, the learned Court would discard the examination-in-chief of the said witness.

(RAVINDRA V. GHUGE, J.)

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