

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

922 WRIT PETITION NO.6216 OF 2021

INDUBAI HANUMAN BHADKE
VERSUS
SHRIKANT HANUMAN BHADKE

...
Advocate for Petitioner : Miss Fatima Kazi h/f Mr. S. S. Kazi
Advocate for Respondent nos. 1 to 3 : Mr. N. L. Jadhav

...
CORAM : AVINASH G. GHAROTE, J.
DATED : 9th JULY, 2021.

...

PER COURT :

1. Heard Miss. Fatima Kazi, holding for Mr. S.S. Kazi, learned counsel for the petitioner and Mr. Jadhav, learned counsel for the respondents, who very fairly concedes that the impugned order, which shuts off the cross-examination of the plaintiff is required to be set aside in the interest of justice. He however, submits that a suitable costs be imposed on the petitioner as because of the petitioner's apathy in the matter, he has been dragged to this Court.

2. Considering the statement, the order dated 08/03/2021, passed by the 3rd Joint Civil Judge S. D. on Exh.102, in RCS No. 56 of 2011, is hereby quashed and set aside and the application

Exh.102 is hereby allowed. The amount of Rs.5000/- deposited in this court, shall be paid to the respondents as costs. Petition is accordingly disposed of.

3. The trial court is requested to expedite the matter and decide it as far as possible by the end of this year.

(AVINASH G. GHAROTE, J.)

vsm/-