

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO.12025 OF 2021
(Ravindra Mahadu Chaudhary and others Vs. Social and Cultural Association Kusumba and others)

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Mr. Kishor C. Sant, Advocate for the petitioners
Mr. V.D. Hon, Senior Advocate holding for Mr. A.V. Hon,
Advocate for respondent Nos.1 and 2

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CORAM : MANGESH S. PATIL, J.

DATE : 08.12.2021

PER COURT :

Heard both the sides.

2. Though respondent No.3 is still to be served, he is the original co-defendant. The petitioners were not initially added as defendants but were added subsequently. Their application (Exh-104) seeking to cross-examine the witness of respondent Nos.1 and 2, who are the original plaintiffs, has been rejected by the order under challenge.

3. Mr. V.D. Hon, learned Senior Advocate for respondent Nos.1 and 2 submits that his clients are ready to face the cross-examination at the instance of the petitioners, however a specific date may be given.

4. In view of such concession, the Writ Petition is allowed. The impugned order is quashed and set aside. Respondent Nos.1 and 2 shall

now keep their witness present on the due date before the trial court i.e. 13.12.2021, on which date the petitioners shall cross-examine the witness and no adjournment shall be granted by the trial Court. The trial of the suit shall stand expedited.

[MANGESH S. PATIL]
JUDGE

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