

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

CRIMINAL WRIT PETITION NO. 591 OF 2022

Gajanan Manikrao Mandekar, aged
 about 55 years, Occupation : Service R/
 o Akhar -Chhaya Hariom Colony,
 Bhojapur, at Post Tah. Kuhi, District –
 Nagpur

... PETITIONER

VERSUS

Deepashri w/o Gajanan Mandekar,
 aged about 44 years, occupation :
 Household, R/o C/o Shri Sharad
 Kashinath Bule, Near Shrikrishna
 Temple Adjacent to VHB Ground,
 Kedia Plots Akola, Distt. Akola

... RESPONDENT

Shri B.N. Mohta, Advocate for the petitioner.
 Shri N.R. Tekade, Advocate for the respondent.

CORAM : VINAY JOSHI, J.
DATED. : 26.08.2022.

ORAL JUDGMENT :

At the stage of admission, the matter is taken up for final hearing by consent of both the parties.

2. The short challenge is raised by the petitioner - husband to the imposition of costs of Rs.15,000/- by the Trial Court for allowing

the petitioner to cross-examine the respondent-wife. It reveals that the Trial Court has passed No Cross order, that is why the petitioner has applied for setting aside the No Cross order and to permit him to cross-examine the wife. Though the Trial Court has allowed to cross-examine, however, looking to the facts and circumstances, has imposed the costs of Rs.15,000/- with a rider to permit the petitioner to cross-examine as a last chance.

3. Allegations and counter allegations were made against each other to contend on the point of delay caused in the proceedings. Looking to the nature of controversy, it is not necessary to dwell upon more. However, as the costs amount appears to be exorbitant, it has been brought-down to Rs.7500/-.

4. In view of that the impugned order dated 17.06.2022 is modified to the extent of reducing cost amount to Rs.7500/-. The petitioner shall proceed with the cross-examination as directed by the Trial Court with a rider that on the next date of the proceedings, the petitioner shall commence the cross-examination.

5. The petition stands disposed of in above terms.