

AGK

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO.2553 OF 2023

Avinash Nivrutti Mali

... Petitioner

V/s.

Poonam Avinash Mali

... Respondent

Mr. Dilip Devadiga i/by Mr. Sanjay D. Gaikwad for the
petitioner.

Mr. Kuldeep U. Nikam for the respondent.

CORAM : AMIT BORKAR, J.

DATED : MARCH 3, 2023

P.C.:

- 1.** By the impugned order, Family Court, Satara has forfeited right of the petitioner to lead evidence since the petitioner was not ready on the date of passing of the order to lead evidence.
- 2.** Learned advocate for the petitioner states that his first witness shall remain present before the Family Court, Satara on the next scheduled date. On that day, the petitioner shall complete his examination-in-chief. Learned advocate for the respondent shall complete his cross-examination on that day or on the next date.
- 3.** On the next date after the scheduled date, the petitioner shall examine second witness and the respondent shall complete the cross-examination on that day or on the next date.

4. The Family Court, Satara shall thereafter hear arguments of the parties and decide the petition within three (3) months from the date of completion of evidence by the parties.
5. Except two witnesses which the petitioner intends to examine, no other witness shall be allowed.
6. This order will not confer right on the petitioner to examine the witnesses which were discarded by this Court by order dated 3rd February 2023.
7. The writ petition stands disposed of in above terms. No costs.

(AMIT BORKAR, J.)