

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

WRIT PETITION NO.3898/2023

Nayan Rajiv Joshi
..Versus...
Sau. Shraddha Nayan Joshi

Office Notes, Office Memoranda of Coram,
appearances, Court's orders or directions
and Registrar's orders

Court's or Judge's orders

Shri S.A. Pimpalgaonkar, Advocate for petitioner
Shri A.R. Bhise, Advocate for respondent

CORAM : AVINASH G. GHAROTE, J.
DATE : 10/07/2023

1. The petition questions the orders dated 10/04/2023 below Exh.41 and dated 10/04/2023 below Exh.1 in H.M.P No.48/2020, whereby the evidence of the petitioner/ husband has been closed by rejecting the application for adjournment. The affidavit in lieu of oral evidence by the petitioner/husband has already been filed on record.
2. Shri Pimpalgaonkar, learned counsel for the petitioner, upon instructions, makes a statement that further examination-in-chief shall be recorded on the next date and the cross-examination shall also be permitted on the next date.
3. Shri Bhise, learned counsel for the respondent, upon instructions, makes a statement that the day the petitioner conducts examination-in-chief, on the same day the

respondent shall cross-examine him.

4. Accepting both the statements as the statements to the Court, the parties shall appear before the learned Trial Court on 14/07/2023, on which date, the petitioner shall complete his examination-in-chief and the respondent shall complete his cross-examination. The learned Trial Court shall thereafter proceed to decide the proceedings as expeditiously as possible as the matter needs to be decided on merits. The impugned orders are hereby quashed and set aside and the matter is remitted back to the learned Trial Court.

5. The writ petition is allowed in the above terms.
No order as to costs.

(AVINASH G. GHAROTE, J.)

Wadkar