



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

WRIT PETITION NO. 2716 OF 2021

(N.K.RAMDAS THR. LRS RUKMANI N.K. RAMDAS & OTH...VS.. N. KAILASAN V. NATESAN)

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

Court's or Judge's orders

Shri Yash Maheshwari, Advocate for Petitioners.
Shri N.H.Shams, Advocate for Respondent.

CORAM : ANIL S. KILOR, J.
DATED : AUGUST 24, 2023.

1. Heard.
2. The prayer for setting aside no-cross order came to be rejected vide order dated 09/07/2021 passed by learned 15th Joint Civil Judge Senior Division, Nagpur in Special Civil Suit No. 202 of 2011.
3. Shri Shams, learned counsel appearing for the respondent submits that this petition can be disposed of as he has no objection if the order of no-cross is set aside and the petitioner is permitted to cross-examine the witness. However, he submits that the suit may be directed to be decided expeditiously.
4. Accordingly, I pass the following order:
 - i) The Writ Petition is allowed.

- ii) The impugned order dated 09/07/2021, passed by 15th Joint Civil Judge Senior Division, Nagpur in Special Civil Suit No. 202 of 2011 is hereby quashed and set aside, thereby the petitioner is permitted to cross-examine the witness.
- iii) The petitioner undertakes to cross-examine the witness on 07/09/2023 when the matter is fixed before the trial Court.
- iv) The trial Court is directed to expedite the matter and decide the same within nine months from today.

The Writ Petition is **disposed of** accordingly.
No order as to costs.

JUDGE