

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

WRIT PETITION NO.7011 OF 2022

Shri Mahadeo S/o Shankar Mude .Vs. Shri Ashok S/o Shankar Mude

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

Court's or Judge's Order

None for the petitioner.

CORAM : ANIL S. KILOR, J.

DATED : 30/01/2023

1. On 03.01.2023, the petition was adjourned at the request of learned counsel for the petitioner, thereafter, on 25.01.2023 again the matter was adjourned for today as last chance and the matter was directed to be listed high on board.

2. Today, when the matter was called, none appears for the petitioner. The order dated 14.12.2021 passed by the learned Joint Civil Judge, Junior Division, Seloo, District Wardha in Reg. Civil Suit No.24 of 2015 is under challenge, rejecting the application for cross examination of the defendant.

3. The learned trial Court has observed while rejecting the application that though the matter of 2015 the application came to be filed for cross examination of defendant without purpose. It is further observed that

earlier also similar request was accepted subject to cost of Rs.200/- which was not paid and one more application filed on record without giving any explanation for not cross examining the defendant earlier, when the opportunity was given.

4. Thus, considering the above referred facts and circumstances, I do not find any error committed by the learned trial Court in rejecting the application.

Accordingly, the writ petition is **dismissed**.

JUDGE