



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

Writ Petition No.6006/2022

Sagar V Vinod

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

Court's or Judge's orders

Mr. N.S. Bhattad, Advocate for petitioner.

Mrs Varsha Wasu (Dhoble), Advocate for respondent.

CORAM : N.R. Borkar, J.

DATE : 12-12-2024.

This petition takes exception to the order dated 11-04-2022 passed by the learned 3rd Joint Civil Judge, Senior Division, Yavatmal below Exhibit-82 in Special Civil Suit No.55/2010.

ii. Respondent herein has filed a suit for possession of suit property against the present petitioner.

iii. By the order impugned, the learned trial Court has rejected the application filed by the petitioner for seeking permission to further cross examine the respondent.

iv. The permission to further cross-examine respondent was sought in view of the framing of additional issues. It is not in dispute that additional issues were framed after the evidence of respondent was over. The learned trial Court therefore ought to have granted the opportunity to the petitioner as sought. The

order impugned is set aside. The learned trial Court shall recall the respondent and shall permit the petitioner to further cross-examine him *qua* the additional issues.

v. Petition is disposed of in the aforesaid terms.

(N.R. Borkar, J.)