



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

Writ Petition No.7078/2024

Kishor v Rajesh

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

Court's or Judge's orders

Mr. D.C. Chahande, Advocate for petitioner.

Mr. S.D. Malke, Advocate for respondent.

CORAM : N.R. Borkar, J.

DATE : 06-12-2024.

This petition takes exception to the order dated 30-09-2024 passed by the learned Civil Judge, Junior Division, Kamptee below Exhibit-182 in Regular Civil Suit No.114/2015. By application at Exhibit-182, the petitioner/defendant had sought recall of the order dated 20-04-2024 by which his evidence was closed and permission to lead evidence.

ii. By the order impugned, the learned trial Court has rejected the said application at Exhibit-182.

iii. The learned Counsel for the petitioner, on instructions, submits that the petitioner/defendant wants to examine himself and one more witness only. It is submitted that one opportunity be granted to the petitioner to lead evidence.

iv. Considering the facts and circumstances of the case, the following order is passed :-

- (a) The order impugned is set aside subject to payment of costs of Rs.10,000/- by the petitioner to the respondent within a period of one week.
- (b) The learned trial Court shall permit the petitioner to adduce evidence.
- (c) The petitioner shall file his affidavit of examination-in-chief on 07-12-2024.
- (d) The learned trial Court shall make an endeavour to decide the suit within a period of six months.
- v. The petition is disposed of in aforesaid terms.

(N.R. Borkar, J.)