



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

907 WRIT PETITION NO. 9954 OF 2025

RAMESH VITTHAL SHINDE

VERSUS

M/S SURAJ GOLD BEED PROPRIETOR VAIBHAV MANIKCHAND
NAHAR

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Advocate for the Petitioner : Mr. Ishwar Kalyan Wagh

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CORAM : ARUN R. PEDNEKER, J.

DATE : 09.09.2025

PER COURT:

1. Heard.

2. The petitioner challenges the order dated 06.01.2025 whereby his application Exhibit-40 for setting aside the no-cross order is rejected. The trial court has observed that earlier also no cross order was passed on 13.03.2023. Thereafter, the same order of no cross was set aside by the trial court. Thereafter, again the defendant did not cross examined the witness and consequently the no cross-order was passed on 06.05.2024. On 19.07.2024, the defendant filed an application to set aside no cross order. However, the defendant or the advocate for the defendant were absent. The proceedings are pending for a long period of time and the amount to be recovered is 3,78,420/- and the suit is filed in the year 2020. By the impugned order dated 06.01.2025, the trial court, as such,

not set aside the no cross order. I see no error in the order passed. Failure on the part of the defendant to cross-examine the witnesses and, also, continued to delay the suit is noticed by the trial court.

3. Considering the same, no case is made out. The writ petition stands dismissed.

[ARUN R. PEDNEKER, J.]

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