

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

32 WRIT PETITION NO. 8504 OF 2025

Abhaysingh Nirmalsingh Bisen

VERSUS

Mannusinha Prabhusinha Rahekwat Thakur

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Advocate for Petitioner : Mr. S.N. Rodge

CORAM : S. G. CHAPALGAONKAR, J.

Dated : July 16, 2025

PER COURT :-

1. Petitioner impugns the order dated 20.06.2025 passed by the learned Civil Judge S.D., Ausa below exhibit 86 in R.D. no.16 of 2017, by which application for setting aside the 'no cross' order is rejected.

2. Learned counsel appearing for petitioner submits that advocate engaged by the petitioner had suffered throat cancer and, therefore, he was not attending the proceeding. Resultantly, no cross order was passed on 13.10.2022 and 7.2.2023.

3. It appears that, the present application is moved below Exhibit 86 on 4.2.2025. The learned Executing Court has observed that learned advocate representing the petitioner was attending Court proceeding since June, 2023. There is no

reason for tendering application after two years. No reason is given for not filing application for period of two years.

4. Considering the reasons as given by the Executing Court, this Court does not find any merit in this writ petition. Writ petition stands **rejected**.

(S. G. CHAPALGAONKAR)
Judge

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