



**IN THE JUDICATURE OF HIGH COURT AT BOMBAY
BENCH AT AURANGABAD**

927 WRIT PETITION NO. 15577 OF 2025

Maroti Rajaram Muley

VERSUS

Radhabai Rajaram Muley And Others

...

Advocate for the Petitioner : Mr. Jadhav Tanvi V.

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CORAM : ARUN R. PEDNEKER, J.

Dated : December 23, 2025.

PER COURT :-

1. Heard.

2. The learned Counsel for the petitioner submits that the application for setting aside the "no evidence order", filed at Exhibit 98, came to be allowed by order dated 12/08/2025, subject to payment of costs of Rs.5,000/-. Thereafter, another application moved by the petitioner seeking modification of cost came to be rejected by order dated 13/10/2025. It is further submitted that the petitioner has been defending the suit through legal aid and that the present petition has also been filed through legal aid. The learned Counsel, therefore, prays that the costs imposed be reduced and that the order passed by the learned Trial Court, insofar as it relates to the "no evidence order" dated 12/08/2025, be set aside by imposing appropriate costs in terms of Section 35-B of the Code of Civil Procedure.

3. Considering the submissions advanced on behalf of the petitioner, this

Court is inclined to reduce the cost to Rs.500/- (Rupees Five Hundred only).
The matter is directed to be fixed tomorrow for evidence of the petitioner.
The petitioner shall remain present and make himself available for evidence on the said date. Notice to the other side is not issued, as the matter is not intended to be prolonged.

4. With the aforesaid directions, the petition stands disposed of.

(ARUN R. PEDNEKER, J.)

vj gawade/-.