

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.7850 OF 2025

Pradip Ganpat Somane

....Petitioner

Versus

Padmavati Dashrath Gaikar & Ors.

...Respondents

Mr. Rohit D Joshi, Advocate for Petitioner.

CORAM: SOMASEKHAR SUNDARESAN, J.

DATE : JUNE 20, 2025

ORDER :

1. This is a Writ Petition challenging an Order of the Learned Trial Court in connection with a decision on the sequencing of examination of witnesses. The impugned order dated November 16, 2024 essentially directs the Plaintiffs in those proceedings to conduct the cross-examination of the witness of Defendant No.2 on the next date without fail. This challenge essentially seeks intervention of this Court under Article 227 of the Constitution of India, praying that Defendant No.1 in those proceedings must be cross examined before Defendant No.2 since it may impact the quality of the evidence being led and the parties to be able to cover their tracks.

2. I am afraid this is not something that ought to be entertained by this Court. The sequence and conduct of a trial is fully within the

jurisdiction of the Learned Trial Court, hence it is for the Trial Judge to be able to conduct the trial without undue interference by this Court in exercise of its Writ Jurisdiction.

3. Consequently, this Petition is not being entertained. The Writ Petition is ***finally disposed of*** in the aforesaid terms without prejudice to the ability of the Petitioner to raise appropriate grounds as advised under Section 105 of the Code of Civil Procedure, 1908.

4. All actions required to be taken pursuant to this order shall be taken upon receipt of a downloaded copy as available on this Court's website.

[SOMASEKHAR SUNDARESAN, J.]