



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

WRIT PETITION NO. 4255/2021

Prakash Shriram Gawande

Vs.

State of Maharashtra and Ors.

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

Court's or Judge's order

.....
Mr. N. A. Parwani, Advocate h/f Mr. U. J. Deshpande, Advocate for
Petitioner.

Ms Kalyani Marpakwar, A.G.P. for Respondent Nos.1 and 2..

CORAM : MRS. VRUSHALI V. JOSHI, J.

DATED : 13.06.2025

1. Heard.
2. Though served, respondent Nos.3 and 4 are not present.
3. The petitioner has filed this petition challenging the order dated 07.08.2021 and 15.09.2021 in R.C.S.No.395/2011 passed by the 3rd Joint Civil Judge Senior Division, Akola thereby rejecting the application filed by the petitioner for setting aside no-cross order passed below Exhibit 94 and 109 respectively.
4. The learned Counsel for the petitioner has stated that during the period of Covid, the evidence on affidavit was filed and S.O.P was operating. The learned Counsel for the petitioner has pointed out that there was specific directions only for taking the remand matters on Saturday. It was Saturday and the no-cross order was passed on that day. The application for setting aside the said order was also rejected. Considering the Covid period and as the

S.O.P. not to pass any adverse order was operating, the Trial Court has rejected the application and also passed the no-cross order which requires to be set aside.

5. In view of above, the application is allowed.

6. The order dated 07.08.2021 and 15.09.2021 in R.C.S.No.395/2011 passed by the 3rd Joint Civil Judge Senior Division, Akola below Exhibits – 94 and 109 are hereby quashed and set aside.

(MRS.VRUSHALI V. JOSHI, J.)