



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

WRIT PETITION NO.198 OF 2026

Nilima S. Patil and Anr. **Vs.** Sangam B. Hadke and Anr.

Office Notes, Office Memoranda of Coram, Appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders
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Mr. N.L. Jaiswal, Advocate for the Petitioner.

CORAM: PRAFULLA S. KHUBALKAR, J.

DATED : 09th JANUARY, 2026

1. Heard learned counsel for the petitioners.
2. Petitioners' challenge is to the order dated 12.12.2025 in Regular Civil Suit No.281/2022 passed by the Trial Court on Exh.1 thereby, observing that the petitioners' who are defendant Nos.2 and 3 in the suit, have not complied with the order passed below Exh.47 and 48 by which they were directed to pay cost of Rs.1,500/- (Rupees One Thousand Five Hundred Only) each and on that condition, the order of no-cross passed against them was set-aside.
3. Learned counsel for the petitioner submits that the petitioners were ready to pay the costs. However, within the time granted, the costs were not deposited and as a result, now the petitioners would be deprived of an opportunity and valuable right to conduct cross-examination, which was although permitted by the order passed below Exh.47 and 48.
4. Having regard to the limited controversy involved, it is directed that the petitioners are permitted to pay the

costs as per Orders passed below Exh.47 and 48 on or before the next date of the Trial Court i.e. **16.01.2026**. After the costs are deposited, the petitioners/ defendant Nos.2 and 3 in the civil suit are entitled to make an application seeking revival of the orders passed below Exh.47, 48 and 1 (Impugned Order). Any such application be decided by the trial Court after considering the valuable right of the parties to conduct cross-examination.

5. In view of above, the writ petition is **disposed of**.

(PRAFULLA S. KHUBALKAR, J.)

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