

R.C.S. No.14/2016
Gajanan Maharaj Sansthan
-Vs-
Amar Arun Sharma

ORDER BELOW EXH.251
[Passed on 10.12.2025]

1. This is an application filed by the Ld. Counsel for the defendant for grant of adjournment for the cross examination of PW 2. Perused the application and say filed by Ld. Counsel for the plaintiff at Exh.252.

2. It is the contention of the Ld. Counsel for the defendant that defendant want to challenge the order passed by Hon'ble Bombay High Court, Nagpur Bench, Nagpur before Apex Court. Hence, Ld. Counsel for the defendant prayed for grant of adjournment till next date.

3. Ld. Counsel for the plaintiff strongly opposed the application and submitted that there is no ground to adjourn the matter. The defendant is trying to prolong the matter. On 28.08.2025 This court granted adjournment of two weeks. On 10.09.2025 this court has granted the adjournment with costs of Rs.200/- with specific direction that no further adjournment would be granted. Further more on 24.09.2025 this court has passed the order stating that no further adjournment will be granted on the application for adjournment filed by Ld. Counsel for defendant. Hon'ble Nagpur Bench of Bombay High Court on 28.11.2025 in writ petition No. 5689/2025 directed that this suit be decided expediently within the period of 6 months from the date of the judgment. The record

also show that defendant is trying to prolong the matter. The ground for adjournment are not justifiable. Hence, Ld. Counsel for the plaintiff prayed for rejection of the application for adjournment.

4. Heard Ld. Counsel for the defendant and Ld. Counsel for the plaintiff.

5. It is the matter of record that this suit is pending from the year 2016. on perusal of record it is revealed that defendant was granted adjournment on various time for cross examination of PW 2. On application for adjournment this court has imposed the costs on the defendant with direction to him that no further adjournment would be granted considering the oldness of this matter. This suit was adjourned from last 3 months on the ground that the defendant filed writ petition challenging the order of this court before Hon'ble Nagpur Bench of Bombay High Court. On 28.11.2025 in writ petition No. 5689/2025 Hon'ble Nagpur Bench of Bombay High Court has given direction that this suit needs to be decided expediently and it has to be decided within the 6 months from the date of the judgment of Hon'ble Bombay High court in writ petition No. 5689/2025 which came to be dismissed with costs. In spite of that Ld. Counsel for the defendant sought the adjournment on the ground that the appeal would be preferred before Hon'ble Supreme Court against the judgment of Hon'ble Bombay High Court in write petition No. 5689/2025. It is pertinent to note that the judgment of Hon'ble Bombay High Court in writ petition No. 5689/2025 was passed on 28.11.2025. Since then no efforts

appears to be made by the defendant to prefer an appeal before Hon'ble Apex Court against the judgment of Hon'ble Bombay High Court. Therefore, it can be said that defendant is trying to prolong the matter on frivolous ground. In view of direction of Hon'ble Bombay High in writ petition No. 5689/2025 to decide this matter within the 6 months no application for adjournment is tenable. In view of above reason I am not inclined to allow this application and proceed to pass following order.

ORDER

Application for adjournment filed by the defendant is hereby rejection with costs of Rs.200/- to be paid to the plaintiff.

Date : 10.12.2025.

[N. D. Meshram]
Civil Judge Jr. Dn. Shegaon,
Dist. Buldana.

I, *P. K. Ingle*, Stenographer of C.J.J.D. & J.M.F.C. Court No.1, Shegaon affirm that the contents of this P.D.F. file order is correct word to word as per the Original Order.