

**IN THE INDUSTRIAL COURT, MAHARASHTRA,**  
**(BHANDARA BENCH), BHANDARA.**

**MISC. APPLICATION (ULP) NO. 01/2025**  
(CNR NO. - MHIC360000122025)

Madhukar Domnu Khobragade and others,

**- V E R S U S -**

Managing Director,  
Maharashtra Minerals Corporation Ltd.,  
Mumbai and others.

**ORDER BELOW EXH. C-7**  
(Passed on 2<sup>nd</sup> January, 2026)

This application is preferred for setting aside of no cross-examination order and for grant of permission to cross-examine the witness Madhukar D. Khobragade.

02. Perused the application. Say of the applicant has been called for. The applicant has strongly opposed the application.

03. I have heard learned Advocate Mrs. S. N. Dandekar for the applicant. Perused the material placed on record.

04. It is matter of record that witness Madhukar D. Khobragade has filed an affidavit in lieu of examination in chief on 19/09/2025. Further examination-in-chief was taken on 17/10/2025. The witness is 75 years old. In spite of giving several chances, cross-examination was not done. It is also submitted that the Advocate for the non-applicant

was busy in another Court and therefore, he could not cross-examine. It is trite law that busy in another Court cannot be ground for adjournment. However, for any lapse on the part of the Advocate, litigant should not suffer. In my opinion, for giving fair chance to the respondents, permission can be granted to cross-examine the witness so that matter can be decided on merits.

05. In this matter, the witness is 75 years old and was attending Court regularly. Therefore, there is need to impose certain costs while allowing the present application. Hence, considering over all circumstances and in the interest of justice, I proceed to pass the following order.

**ORDER**

01. The application Exh. C-7 is hereby allowed subject to costs of Rs. 500/- to be paid to the witness Madhukar D. Khobragade.
02. No cross-examination order dtd. 28/11/2025 is hereby set aside subject to above terms.

BHANDARA.  
Date :- 02/01/2026.

(Kishore M. Jaiswal)  
Member,  
Industrial Court, Bhandara.

MSH/-