

Order below Exh.107 in RCS No.407/2015

By this application defendant Nos.2 to 5 have sought adjournment for conducting the cross examination of PW No.3 Somnath M. Mahajan at **Exh.104**, on the ground stated in the application. Plaintiffs have filed their say and raised objections. Perused application and say. Heard both the sides. Both of them have submitted in the line of their application and say respectively. Record shows that plaintiffs have examined Somnath M. Mahajan as PW No.3 by filing his affidavit of chief examination at Exh.104 on 19/09/2022. On 27/09/2022 these defendants moved an application seeking adjournment, which came to be allowed as last chance. On next appointed date of hearing i.e. on 15/10/2022 plaintiffs moved an application at **Exh.106** seeking adjournment and the same was allowed and both the parties were given last chance. Accordingly, today PWNo.3 Somnath M. Mahajan is present in the Court and is ready to offer himself to record his cross examination at **Exh.104**. In such circumstances, it was the duty of defendants to record the cross examination of PW No.3 Somnath M. Mahajan at Exh.104. The suit is pending since year 2015 i.e. from last more than five years. Hon'ble Bombay High Court has time and again directed to dispose of matters pending for more than five and ten years on priority basis. In such circumstances, it is necessary to decide this suit at the earliest. For these reasons, I pass following order:-

ORDER

1. The application is rejected.
2. No order as to costs.
3. Necessary order is passed below **Exh.104**.

Order dictated and pronounced in open Court.

Date :24/11/2022

(Ashish B. Marlecha)
Civil Judge (Sr.Dn.),
Nilanga, Dist. Latur.