

ORDER BELOW EXH.108 IN RCS No.222/2015
Kasturibai Vs. Gajanan

The case is posted for cross-examination of defendant No.2. It appears that chief examination of the said witness was recorded on 02/02/2024. Thereafter, cross-examination of said witness was partly recorded on 12/01/2026. The matter was adjourned as per application of defendant No.1 which was filed below Exh.107 and the matter was posted today for further cross-examination of witness. Today the defendant No.1 filed the present application. As per the defendant No.1 the matter was posted for cross-examination. However, today the advocates have passed resolution to abstain from work. So, today the cross-examination can not be conducted. Hence, he sought time for cross-examination. Admittedly, the case is of the year 2015. Therefore, the case comes under the category of **targeted cases**. Hon'ble Apex Court as well as Hon'ble Bombay High Court has issued directions to decided all the targeted cases at the earliest. All advocates are aware about this facts. Still the defendant has filed this application.

2] Hon'ble Apex Court has held in **Ex-Capt. Harish Uppal v. Union of India, (2003) 2 SCC 45** that lawyers cannot strike or call for a boycott, not even a symbolic one.

3] Hon'ble Apex Court has held in **Krishnakant Tamrakar v. State of Madhya Pradesh (2018)** reaffirmed that strikes by advocates are illegal, amount to contempt of court, and that office bearers passing strike resolutions are liable to be removed.

4] Hon'ble Apex Court has held in **Hussainara Khatoon v. Home Secretary, State of Bihar (1980) 1 SCC 81** that the right to a

speedy trial is a fundamental right, which is infringed upon by lawyers' strikes.

5] Hon'ble Apex Court has held in **Common Cause v. Union of India, (2005) SCC 4442** the Court continued to emphasize the ban on strikes by advocates.

6] Considering all these above referred case laws certainly the advocates can not call a strike nor they can abstain from work. Still considering the nature of proceeding last chance is granted subject to costs of Rs.500/-.

Washim.
Date:- 31/01/2026.

(S. S. Sahasrabudhe)
Civil Judge (Sr. Dn.), Washim.

CERTIFICATE

I affirm that the contents of this PDF file judgment/order are same word to word, as per original judgment/order.

- 1) Name of Stenographer :- S. V. Dere (Stenographer G-III)
- 2) Name of Court :- Civil Judge (S.D.), Washim.
- 3) Date :- 31/01/2026
- 4) Order signed by the
presiding officer on :- 31/01/2026
- 5) Order uploaded on :- 02/02/2026