

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.1711 OF 2015**

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. Suraj Iyer a/w Mr.Girish Kalla i/b Ganesh & Co., Advocate for Petitioner.

Mr. R.A.Thorat, Senior Advocate, i/b Ms Taubon F. Irani, Advocate for Respondent.

CORAM: R.G.KETKAR, J.

DATE : 24/08/2015

PC:

1. Not on Board. At the request of Mr. Iyer, taken up in production board.

2. Heard Mr.R.A.Thorat, learned senior counsel for the respondent-wife and Mr. Suraj Iyer, learned counsel for the petitioner-husband.

3. This matter is moved by way of praecipe dated 24.8.2015 seeking extension of time as stipulated in the order dated 13.7.2015. By that order, the time stipulated in clause (5) of the Minutes of Order was extended till 30.8.2015. Mr. Thorat submitted that the

petitioner-husband filed application Exhibit-140 in M.J.Petition No.A-2400 of 2011 for issuing summons to Ms Barota Malhoutra. By order dated 13.8.2015, the learned Judge of the Family Court allowed the application and ordered issuance of witness summons to witness no.2,, i.e. Ms Barota Jayantkumar Malhoutra only for limited purpose of producing Bank Account statements of the Account No.22511032389 and 22111004493 from January 2011 to December, 2013.

5. Mr. Iyer submitted that the application for issuing witness summons to Ms Barota Malhoutra was filed for producing copy of account statements showing deposit of money in Naia Nabha Trust. He submitted that Bank of India who maintains the Account of Naia Nabha Trust has produced the requisite statements of accounts. He, therefore, does not press the application Exhibit-140.

6. As the petitioner-husband has not pressed the application Exhibit-140 for issuing witness summons to Ms. Barota Malhoutra, the order directing issue of witness summons to Ms Barota Malhoutra stands dissolved. In other words, it is clarified that it is not necessary for Ms Barota Malhoutra to attend the proceedings in pursuance of the order dated 13.8.2015, below Exhibit 140 in Petition No. A-2400 of 2011. Order accordingly.

(R.G.KETKAR,J.)