

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.9198 OF 2015

Ms.Medha Sudhir Raut

.. Petitioner

VS.

Shri Sudhir Hiraji Raut

.. Respondents

.....

Ms.Krupali H. Rajani for the Petitioner.

Mr. Vijay Killedar for the Respondent.

.....

CORAM : M. S. SONAK, J.

DATE : 4 DECEMBER 2015.

P.C. :-

1. Learned Counsel for the petitioner on the basis of instruction from the petitioner states that petitioner will make herself available for cross examination on any date between 26th December, 2015 and 3rd January, 2016. This is because during the said time the petitioner has vacation.

2. The learned Counsel for the respondent on basis of instruction from the respondent who is present in the Court makes a statement that he will conclude the cross examination of the petitioner in one day, without seeking any adjournment. The statement is accepted. The trial Court is requested to grant some date during the said period so that the cross examination of the petitioner will conclude in one day itself.

3. If for any reason trial Court is unable to grant some date during the aforesaid period, the learned Counsel for the petitioner has very graciously stated that in the first or latest second week of January, 2016, the petitioner will obtain leave for one day and attend the Court for purpose of cross examination. The trial Court may adopt this course of action only if the trial court is in some serious difficulty for granting some date during the aforesaid period.

4. Accordingly direction to this effect are hereby issued.

5. In view of the aforesaid arrangement there is no necessity of appointment of a Court Commissioner. However, the order dated 2nd September, 2015 closing petitioners evidence is set aside. Both parties are directed to co-operate with the trial court for earlier conclusion of the matter.

6. The petition is disposed of in aforesaid terms. All concerned to act on the authenticated copy of the order.

7. In fact parties are directed to appear before the trial court on 15th December, 2015 at 3.00 pm and produce authenticated copy of this order.

(M. S. SONAK, J.)