

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO. 4630 OF 2015

Ved Prakash Ahuja

... Petitioner

v/s

Roma Prakash Ahuja & ors.

... Respondents

Mr.Karl Tamboly along with Zeus Dhanbhoora and Ms. Shaheda Madraswala i/by Bharucha & Partners for the petitioner.

None present for the respondents.

CORAM: N. M. JAMDAR, J.

DATED : 6TH MAY, 2015

PC.:

Not on board. Taken on production board by way of a *praecipe*.

2 The only direction which is sought by the petitioner is that the cross-examination of the petitioner be conducted in Austria by a Commissioner at the petitioner's cost, to be completed within a period of seven days. Such prayer will have to be made to the trial Court at the first instance and only if the same is rejected, the petitioner can seek appropriate reliefs. Learned counsel for the petitioner submits that the concerned Judge is not available for some time and the petitioner is of advanced age and has to travel

to Austria. It is always open to the petitioner to bring to the notice of the Chief Judge of the Small Cause Court if there are certain administrative difficulties. In view of this position, the writ petition need not be entertained as the petitioner can adopt the methodology suggested.

3 The writ petition is rejected.

(*N. M. JAMDAR, J.*)