

Shephali

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
REVIEW PETITION (L) NO. 82 OF 2014
IN
LEAVE PETITION NO. 286 OF 2013
AND
NOTICE OF MOTION (L) NO. 1796 OF 2013
IN
SUIT (L) NO. 798 OF 2013

M/s. Harman Overseas & Ors.	... Petitioners
<i>Versus</i>	
Dongguan TR Bearing Company Ltd. & Ors.	... Respondents

Mr. Himanshu Kane, *a/w Mr. Hiren Kamod and Ms. Aditi Kulkarni, i/b M/s. W.S. Kane, for the Petitioners.*
Dr. Veerendra Tulzapurkar, **Senior Advocate**, *a/w K.G. Munshi, Mrs. Alka Parekar, Mrs. Neha Naik, i/b M/s. V.A. Associates, for Respondents.*

CORAM: G.S. PATEL, J
DATED: 12th March 2015

PC:-

1. The following order sufficiently addresses the grievances of Mr. Kane, learned Advocate for the Review Petitioners. I must

clarify at the outset that Mr. Kane is not wrong in his submission that our Original Side Rules require the appointment of a special translator in cases where the document is in a language other than those specified.

2. In the present case, there are documents that are in Chinese, Vietnamese and Japanese. The High Court does not have sufficient facilities to render official translations of those documents. The Oriental Languages Bureau at Lakshmi Building, P. M. Road, Fort, Mumbai 400 001 is able to provide translations from all these languages. Mr. Shivang R. Shah from the Oriental Languages Bureau is personally present in Court today at the request of the Court. He confirms that the Bureau is able to provide the translations required and further states that the Bureau has also provided translations to this Court on other occasions. It also provides translation services to consulates.

3. The Plaintiffs shall forward to the Oriental Languages Bureau a legible set of the documents of which a translation is required. A copy of these will also be sent to Mr. Kane, learned Advocate for the Petitioners. The Bureau will provide a copy of the translation to the Plaintiffs along with a copy directly to Mr. Kane. The costs of translation will be borne by the Plaintiffs.

4. Mr. Kane, on written instructions, states that the translations as provided by the Bureau will be agreed to by his clients. Mr. Kane tenders a copy of an email with these instructions. It is taken on record and marked 'X' for identification. These translations are, therefore, in compliance with the provisions of Rule 630 of the

Bombay High Court (O.S.) Rules, as official translations. Yet, given that these translations are in several different languages of which translation facilities are not available in the High Court, should there be any dispute as to the accuracy of the translations, both sides will be at liberty to make an appropriate application in that behalf.

5. This order is without prejudice to the rights and contentions of both sides at the final hearing of the Suit, including as to the correctness of the translations now called for.

6. It is agreed that the pending Notice of Motion (L) No. 1796 of 2014 as also all other pending applications will be taken up by the Court to which the suit is assigned after the translations have been obtained.

7. In view of these, nothing survives in the Review Petition which is disposed of in these terms.

(G. S. PATEL, J.)