

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION**

**MISCELLANEOUS PETITION NO.8 OF 2016
IN
LETTER OF REQUEST DATED JANUARY 11, 2016
IN
CIVIL ACTION NO.13-398, UNITED STATES COURT OF
INTERNATIONAL TRADE, NEW YORK, NY, USA**

The United States of AmericaPetitioner/Applicant

Ms. Jaslin Oberoi a/w. Ms. Umang Singh i/b. Ameya Gokhale for the
petitioner/applicant.

**CORAM : K.R.SHRIRAM,J
DATE : 17th JUNE, 2016**

P.C.:-

1 By this petition filed under Section 78 read with Order XXVI Rules 19 to 22 of the Code of Civil Procedure, 1908, ("CPC" for short) the applicant seeks direction for issuance of a commission, to give effect to the Letter of Request dated 11th January, 2016 issued by the United States Court of International Trade, New York, with all powers under the CPC for the purpose of collecting evidence and examination of witnesses. The learned counsel appearing for the applicant invited my attention to the Letter of Request issued by the United States Court of International Trade, New York, Annexure "A" to the petition.

2 On perusal of the Letter of Request and on bare reading of Section 78 and Order XXVI Rules 19 to 22 of the CPC and on consideration of the averments made in the petition, I am of the view that conditions prescribed in Rules 19 to 22 of Order XXVI of the CPC are satisfied and the Commissioner can be appointed to give effect to the Letter of Request dated 11th January, 2016.

3 Mr. Abhimanyu Singh, Advocate is appointed as the Court Commissioner to give effect to the Letter of Request within a period of three months from today. It is made clear that the applicant shall bear all expenses and fees that may be charged by the learned Commissioner.

4 Petition is made absolute in terms of prayer set out in paragraph no.12(i) to (iii). No order as to costs.

5 The Commissioner is directed to act on the copy of this order duly authenticated by the Associate of this Court.

(K.R.SHRIRAM,J)