

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION (STAMP) NO. 23103 OF 2017

Chetan Kundandas Sewani

.. Petitioner

VS.

Shankar Panjuma Soneja

.. Respondent

Ms Minal Chandnani i/b., Mr. J. S. Chandnani for the Petitioner.
Mr. Jyotiram S. Yadav for Respondent .

CORAM : M. S. SONAK, J.
DATE : 06 NOVEMBER 2017.

P.C. :-

1] After this matter was argued for some time, the learned counsel for the parties fairly submit that the matter can be disposed of with the following agreed order:-

(A) The impugned order dated 28th April 2017 is set aside subject to the petitioner depositing costs of Rs.25,000/- before the trial court on or before 13th November 2017. In case, costs of Rs.25,000/- are not deposited, on or before the said date, this petition shall be deemed to have been dismissed;

(B) Mr. Shankar Panjuma Soneja (PW 1) shall remain present before the trial court on 13th November 2017 or such

other date as may be directed by the learned trial Judge. On that date, the petitioner, through Advocate, shall be entitled to cross-examine PW 1 for the purpose of putting to him the denials. No further cross-examination is permitted;

(C) Proceedings in summary suit no. 13 of 2007 are ordered to be expedited. The learned trial Judge to endeavour to dispose of the summary suit in accordance with law and on its own merits within a period of six months from today;

(D) The respondent / plaintiff is at liberty to withdraw the amount of costs if deposited by the petitioner unconditionally;

(E) All concerned to act on basis of authenticated copy of this order.

2] Petition is disposed of accordingly.

(M. S. SONAK, J.)