

IN THE HIGH COURT OF BOMBAY AT GOA

WRIT PETITION NO. 821 OF 2018

SAJJAN KUDAV AND ANR.,

... Petitioners

Versus

SONBA PRASHURAM KAMAT AND ANR.,

... Respondents

Shri Balkrishna Sardessai, Advocate for the petitioners.
Shri Bhargav M. Khandeparkar, Advocate for the respondent
no.1.
Shri D. Vernekar, Advocate for the respondent no.2.

Coram:- C. V. BHADANG, J.

Date:- 26th November 2018

P.C.

Heard the learned Counsel for the parties.

2. The petition is disposed of in the following terms by consent of parties :

- (i) The impugned order dated 03/08/2018, closing the cross-examination on behalf of the petitioners as well as the respondent no.2 (defendant no.3), is hereby set aside.
- (ii) The learned Trial Court shall permit cross-examination of the PW1 on behalf of the petitioners and the respondent no.2 on the next date, or any other date to which the suit is adjourned.
- (iii) The parties to appear before the learned Trial Court on 05/12/2018 at 10.00 a.m.
- (iv) The respondent no.1 would be at liberty to apply

before the Trial Court for recording the evidence of PW1 on commission, for which the petitioners and the respondent no.2 have no objection.

(v) If such an application is filed, the Trial Court shall appoint a Commissioner for recording further evidence of PW1.

(vi) The trial of the suit is expedited. The learned Trial Court shall decide the same as early as possible and preferably, within a period of one year from the receipt hereof.

(vii) Parties to co-operate for the time bound disposal of the suit.

(viii) In the circumstances, there shall be no order as to costs.

C. V. BHADANG, J.

SMA