

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

WRIT PETITION NO.7379 OF 2018

Nirmal Lifestyles Realty Pvt. Ltd.		Petitioner
Versus		
Vinod N. Gondhali		Respondent

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Mr. A.V. Bukhari, Senior Advocate a/w Mr. A.K. Jalisatgi I/b Mr. Amol B. Desai for the Petitioner.
Mr. Pradip Chavan for the Respondent.

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CORAM : S.C.GUPTE, J.

DATE : 16 JULY 2018

P. C. :

. Heard learned Counsel for the parties.

2 This petition seeks direction to declare the Respondent's cross examination recorded by the Industrial Court as vitiated and discard the same. This a strange relief, to say the least. Trial of the recovery application pending before the Industrial Court is underway. Cross examination of the Respondent has been concluded. The court has now to hear the parties and decide the recovery application. At this stage, the relief claimed in the petition to declare the cross examination of the Respondent as vitiated, for whatsoever reason, and direct the court to discard it, is clearly misconceived. The petition is dismissed.

2 It is made clear that the Petitioner's contentions as well as remedies against the recovery certificate, if any, on the basis of submissions made in the petition herein on merits are kept open.

(S.C. GUPTE, J.)

Rajesh
Vasant
Chittewan

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