

Shailaja

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE SIDE JURISDICTION
WRIT PETITION NO.9239 OF 2018

Sulochana Manohar Raj Singhvi and another	]	Petitioners
Vs.		
Hiranyakant Govind Samant	]	Respondent

.....

Mr. Ish Jain i/b Kiran Jain & Co., for Petitioners.
Mr. Kalpesh Joshi, for Respondent.

.....

CORAM : R.G. KETKAR, J.

DATE : 4th SEPTEMBER, 2018

P.C.

Heard Mr. Jain, learned Counsel for the petitioners and Mr. Joshi, learned Counsel for the respondent at length.

2. Rule. Having regard to the narrow controversy raised in this Petition, at the request and by consent of learned Counsel for the parties, Rule is made returnable forthwith and Petition is taken up for final hearing.

3. The matter was heard at length on 24th August, 2018 and was adjourned till today to enable Mr. Joshi to take instructions. Mr. Joshi submits that the respondent is present in the Court. Upon taking instructions from him, he submits that impugned orders may be set aside by consent of the parties subject to keeping all objections of the respondents open.

4. In view thereof, by consent of the parties, impugned order dated 27th July, 2018 passed by the learned trial Judge below Exhibit 74 is set aside.

Application at Exhibit 74 stands allowed. All objections of the respondents including competency of D.W.2 to depose as regards secondary evidence as also subject to proof of contents of these documents are expressly kept open. Rule is made absolute with no order as to costs.

[R.G. KETKAR, J.]