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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
NOTICE OF MOTION NO. 806 OF 2018
IN
SUIT NO. 1939 OF 2008**

Vikram Rasiklal Chinai ...Plaintiff
Versus
Ram Motiram Mhatre & Anr ...Defendants

**Mr Cyrus Ardeshir, with Deeksha Jani, i/b Hariani & Co., for the
Plaintiff.**
Mr EA Sasi, for Defendants Nos. 1 and 2.

**CORAM: G.S. PATEL, J
DATED: 18th June 2018**

PC:-

1. The application is by the Plaintiff in this Suit for specific performance in respect of a substantial immovable property at Alibaug, one that has, apparently, several fruit-bearing trees on it. The application is to permit the Plaintiff to have the property valued privately in support of the Plaintiff's alternative prayer for damages.
2. The Notice of Motion will have to be allowed with the additional liberty to the Defendants to have their own independent private valuation also obtained. It will be the responsibility of each side to properly lead the evidence of these appointed valuers. It is

made clear that this is not a valuation asked for by the Court or by a Court-appointed valuer.

3. The Plaintiff's valuer will visit the site in question and complete inspection on or before 6th July 2018. The Defendants will not interfere with this inspection.

4. Should the Defendants wish to obtain their own independent valuation, their valuer will complete his site inspection on or before 27th July 2018.

5. In the meantime, the cross-examination of the Plaintiff's second witness can continue.

6. List the Suit for directions on 31st July 2018.

7. The Notice of Motion is disposed of in these terms. There will be no order as to costs.

(G. S. PATEL, J)