

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

904 WRIT PETITION NO.4787 OF 2018

SANGITA ULHAS SABLE
VERSUS
INDUBAI DATTATRAY VANJARI AND OTHERS

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Advocate for Petitioner : Shri Nagori Girish
Advocate for Respondent 3 : Shri Mewara Rajesh H.

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CORAM : RAVINDRA V. GHUGE, J.
Dated: January 16, 2019

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PER COURT :-

1. Heard learned Advocates for the respective parties.
2. The plaintiff is about 50 years of age today and is said to be suffering from osteoarthritis. The Doctor's report indicates that she should not stand or sit in a single position for long durations.
3. The trial Court has permitted the plaintiff to be before the Court. She would be given breaks after every 30 minutes. The said suggestion was not acceptable to the petitioner. Now the petitioner submits that if she is given a chair to sit with breaks for 15 minutes after each 30 minutes of cross-examination, she would appear on a particular date.
4. Learned Advocate for the petitioner submits that the affidavit in

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lieu of the examination in chief would be filed by the petitioner / plaintiff on/or before 15.2.2019.

5. As such, the statement is accepted. A list of witness, if not submitted shall be tendered by all the litigating parties on / or before 15.2.2019. Thereafter, the plaintiff would remain present for the cross-examination on 11 a.m. on 1.3.2019. The trial Court would offer her a chair while undergoing cross-examination with breaks as suggested. If the cross-examination does not conclude on 1.3.2019, it will be continued on 2.3.2019 and would be concluded on that date.

6. By recording the above statements and in view of the above directions, this petition is disposed off.

(RAVINDRA V. GHUGE, J.)

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