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Bharat
D. Pandit

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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.7174 OF 2019**

M/s Mega Stock Limited

.... Petitioner.

V/s

Life Insurance Corporation of
India and Others

..... Respondents.

Mr. Jaydeep Deo for the Petitioner.

Mr. D.B. Pereira with Ms. Rinika Jain and Ms. Brenelhe Cardoz for
Respondent No.1.

CORAM: NITIN W. SAMBRE, J.

DATE: 11th July, 2019

P.C.:-

1] The learned Counsel for the Petitioner undertakes that no further adjournment in the matter before the Estate Officer would be sought on whatsoever ground and, on the next date, cross-examination of the witness will be completed. He also assures that his Lawyer will maintain decorum before the Estate Officer.

2] The Order impugned dated 02/05/2019, thereby ordering “no cross”, in my opinion, warrants interference, as, because of the personal reasons, the concerned Lawyer has failed to appear before the Estate Officer. However, the fact remains that such last

opportunity to the Petitioner will be conditional.

3] The Order impugned dated 02/05/2019, thereby not permitting the Petitioner to go ahead with cross-examination of the witness of Respondents, is hereby quashed and set aside, subject to condition that the Petitioner shall deposit costs of Rs 50,000/- with Estate Officer. Of this amount of Rs 50,000/-, Rs 25,000/- be paid to the Respondents and balance amount of Rs 25,000/- be paid to Tata Memorial Hospital for Cancer. The said amount of costs be deposited within two weeks from today.

4] The undertaking given by the learned Counsel for the Petitioner on behalf of the Petitioner that Petitioner will not seek any adjournment, is accepted. He also assures that every co-operation will be rendered to the Estate Officer for expeditious disposal of the proceedings by maintaining proper decorum.

5] With the above observations, Petition stands disposed of.

(NITIN W. SAMBRE, J.)