

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
REVIEW PETITION NO.07 OF 2022
IN
WRIT PETITION NO.1108 OF 2022

Abhay Vadilal Shah @ Abhaybhai

Vadilal Shah .. Petitioner

Versus

Quresh Abdulhusain Ezzi .. Respondent

...

Mr.Prasad Dhakephalkar with Mr.Jaydeep Deo for the Review
Petitioner and for the original Respondent in WP/1108/22.

Mr.G.S.Godbole with Ms.Kavita A. Shah for the Respondent
and for the original Petitioner in WP/1108/22.

...

CORAM: RAVINDRA V. GHUGE, J.
DATED : 10th FEBRUARY, 2022

P.C:-

1. I have considered the submissions of the learned Senior Advocate Shri Dhakephalkar and Shri Godbole, the learned Advocate, on behalf of the respective sides. There is a consensus between the parties with regard to a slight alteration in the duration allotted for completing the cross-examination of PW 1 at clauses (b) and (e) under paragraph 6, of the order dated 04/02/2022.

2. Accordingly, the date "10/02/2022" appearing in clause (b) shall be read as "14/02/2022" and the date "16/02/2022"

appearing in clauses (b) and (e) shall be replaced with the date “18/02/2022”. The order dated 04/02/2022 shall be corrected and shall be uploaded.

3. Shri Dhakephalkar has made a further request on behalf of the review petitioner that if the cross-examination is not concluded on 18/02/2022, the review petitioner would approach this Court for an extension. Shri Godbole has strenuously opposed the said request.

4. I find that PW 1 has been cross-examined since August 2018 and the cross-examination has covered almost 40 typed pages. Further, five days are granted to cross-examine PW 1 on day-to-day basis with a request to the learned trial Judge that he would permit such cross-examination on day-to-day basis. This issue cannot be stretched beyond a particular limit and, therefore, the request of the review petitioner for an extension, if required beyond 18/02/2022, stands rejected.

5. The review petition is accordingly disposed off.

(RAVINDRA V. GHUGE, J.)