

(23)-WP-2711 & 3622-22 (corrected).doc.

Corrected pursuant to speaking to minutes of order dated 23rd June, 2022.

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO.2711 OF 2022

Abhay Prakash Ahuja

..Petitioner

Versus

Ved Prakash Ahuja and Ors.

..Respondents

WITH

WRIT PETITION STAMP NO.3622 OF 2022

Ved Prakash Ahuja

..Petitioner

Versus

Roma Prakash Ahuja and Ors.

..Respondents

Mr. Kunal Bhanage, for the Petitioner in WP No.2711/2022
& for Respondents in WPST No.3622/2022.

Ms. Shaheda Madraswala & Mr. Cyrus Jal, Shikha Dharia
i/by Vashi & Vashi, for the Respondent No.1 in WP
No.2711/2022 & for the Petitioner in WPST No.3622/2022.

CORAM : NITIN W. SAMBRE, J.

DATE : 21st JUNE, 2022

P.C.

1. Counsels for the petitioners in both these petitions on instructions made a motion for withdrawal of the petitions.

2. Both these petitions as such stand dismissed as withdrawn.

3. I am informed that witness of

defendant/petitioner is already in the witness box. In the matter of grant of his prayer for permission to lead secondary evidence petitioner/defendant was permitted to lead secondary evidence.

4. The defendant/petitioner intends to continue the same rightly so in accordance with law.

5. As regards admissibility of the secondary evidence and objection, if any, of the plaintiff to the same can be gone into and appreciated at the stage of final hearing of the suit.

6. If any such objection is raised by either of the parties, this Court expects the Trial Court to deal with the same at the time of final hearing of the suit without being influenced by the withdrawal of both these petitions.

[NITIN W. SAMBRE, J.]