

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

WRIT PETITION NO.3658 OF 2022

Aman Ranjit Virk ..Petitioner
Versus
Dr. (Miss) Charulata Chaturbhai Patel ..Respondent

**WITH
WRIT PETITION NO.3596 OF 2022**

Rajkumar Kochar ..Petitioner
Versus
Dr. (Miss) Charulata Chaturbhai Patel ..Respondent

**WITH
WRIT PETITION NO.3659 OF 2022**

Dilip H. Doshi ..Petitioner
Versus
Dr. (Miss) Charulata Chaturbhai Patel ..Respondent

Mr. Akshay C. Pawar, for the Petitioner all matters.
Mr. Sanket Mungale, for the Respondent in all matters.

CORAM : NITIN W. SAMBRE, J.

DATE : 30th MARCH, 2022

PC.

1. Considering the conduct of the petitioner/defendant as reflected in the impugned order dated 4th March, 2022, I see nothing wrong in the impugned orders.

2. However, in the interest of justice, though strenuously

opposed by the counsel for the respondent/plaintiff, a chance is given to the petitioner to lead his evidence, as it is informed that he has already produced a copy of affidavit of examination-in-chief along with the present writ petition, which shall be produced before the Court below by 5th April, 2022. However, such production is permitted subject to deposit of cost of Rs.50,000/- in the Court below in each of the suit. Apportionment of which to be ordered by the Court below.

3. Further, petitioner is also put to condition that he shall on very same day complete his examination-in-chief and shall co-operate with the Trial Court in expeditious recording of his cross-examination.

4. If the petitioner fails to co-operate with the Trial Court in concluding cross-examination as shall be directed by the Trial Court, the Trial Court is at liberty to put the petitioner to such conditions including that of waiving his right to have his evidence on record. The aforesaid order is passed keeping in mind that the suit hearing is already expedited by this Court and still suit is pending for last more than thirty years.

5. All these petitions stand allowed in above terms.

[NITIN W. SAMBRE, J.]