

R.M. AMBERKAR
(Private Secretary)

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 12511 OF 2022

Shakti Printing & Dyeing Works

.. Petitioner

Versus

M.C.G.M. & Ors.

.. Respondents

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- Mr. D.Y. Chitnis a/w Ms. Sonali Dalvi & Mr. Abhishek Chitre i/by M/s. Deepak Chitnis – Chiparikar & Co for Petitioner
- Ms. Gargi Bhagwat a/w Mr. Yohan Metha i/by M/s. Divekar Bhagwat & Co for Respondent No. 4

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CORAM : MILIND N. JADHAV, J.

DATE : NOVEMBER 29, 2022

P.C.:

- 1.** Heard.
- 2.** By consent, the order dated 14.07.2022 stands set aside.
- 3.** Both the parties have agreed that the evidence of PW-2 shall be recorded by the Court Commissioner. In view thereof, the trial Court is requested to appoint a retired Judge of City Civil Court or Small Causes Court or Family Court, to work as Court Commissioner and fix the fees of sufficient amount of the Court Commissioner. As per the convenience, on the date given by the Court Commissioner, both the counsel for the Petitioner / Plaintiff and Respondents including the counsel for the Corporation to remain present and cross-examine PW-2. The PW-2 shall cooperate with the Court Commissioner and the counsel. The fees of the Court Commissioner is to be paid by the Plaintiff.

- 4.** At the request of learned Advocate for Respondent No. 4, the video recording of the commission in respect of PW-2 shall be done and submitted in pen drive to the Trial Court. The cost of video recording shall be borne by Respondent No. 4.
- 5.** That apart, all other submissions with respect to fixation of schedule are expressly kept open to be submitted to the Trial Court.
- 6.** Parties shall appear before the Trial Court on 08.12.2022 at 12:00 noon for seeking directions
- 7.** Writ Petition is disposed of with the above directions.

[MILIND N. JADHAV, J.]

RAVINDRA
MOHAN
AMBERKAR

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by RAVINDRA
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