

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CIVIL APPELLATE JURISDICTION****WRIT PETITION NO. 2204 OF 2022**

Saras Gopi Alias K. Sarswathi Amma and alias
Saraswathi Gopalkrishnan

.. Petitioner

Versus

Bina Deegan Alias Bina Cunnigham and Alias
Bina Gopi and Anr.

.. Respondents

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- Mr. Aditya Pimple a/w. Mr. Ranjit Shetty, Ms. Priyanka Shetty and Mr. Jonathen Jose i/by Argus Partners for Petitioner
- Mr. Ankit Lohia a/w. Ms. Salonee Kulkarni & Ms. Kirti Kalyani i/by Shardul Amarchand Mangaldas & Co. for Respondent No.1

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CORAM : MILIND N. JADHAV, J.

DATE : JANUARY 09, 2023.

P.C.:

1. Heard Mr. Pimple, learned Advocate for Petitioner and Mr. Lohia, learned Advocate for Respondent No.1.

2. In addition to the direction passed in the order dated 04.01.2022 parties have reconciled the process of taking evidence and have submitted consent Minutes of Order dated 09.01.2023 which are signed by the Advocates for the respective parties. The said Minutes of Order dated 09.01.2023 are marked as “X” for identification.

3. After much deliberation and discussion, it is directed that the directions contained in the orders dated 04.01.2022 and 30.10.2021 and the statements made in the consent Minutes of Order today, the

evidence of the Plaintiffs witness i.e. PW-1 shall be completed.

4. The Minutes of Orders have been signed by learned Advocate for Petitioner as well as Respondents. They have urged the Court to pass the order in terms of Minutes of Order. Hence the following order is passed:-

- (1) Heard the parties. The order dated 04th January 2022 of the trial Court is impugned in the present Writ Petition which issues certain directions regarding appointment of a commissioner for examination and cross examination of Plaintiff's Witness, PW1, via Video Conferencing.
- (2) The commission appointed for examination and cross-examination of Plaintiff's Witness, PW1, shall be carried out in strict compliance with the **High Court of Bombay Rules for Video Conferencing for Courts 2022** notified vide Notification No. Rule/P.1603/2022 dated 17th November 2022, ("**Rules**").
- (3) The parties shall endeavour to conclude the hearing of the Application dated 19th July, 2021 and conclude the examination in chief of PW-1 at the earliest, and in any event within 3 (three) months from 19th January 2023. The marking of documents by the trial Court shall be completed within 4 (four) weeks thereafter.
- (4) Liberty to apply.

(5) Writ Petition is accordingly disposed off.

5. In view of the Minutes of Order, Writ Petition is disposed.

[MILIND N. JADHAV, J.]

SONALI
SATISH
KILAJE

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