

VRJ

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

WRIT PETITION NO.9350 OF 2023

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signed by
VAIRHAV
RAMESH
JADHAV
Date: 2023.11.09
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Sushil Kanubhai Shah & Ors.

... Petitioners

V/s.

Industrial Bhavan (Worli) Ltd. & Anr.

... Respondent

Mr. Chetan Yadav with Mr. Allen Mathew and Ms.
Pratibha Tiwari i/by Markand Gandhi for the
petitioners.

CORAM : AMIT BORKAR, J.

DATED : NOVEMBER 8, 2023

P.C.:

1. Considering the nature of impugned order passed by the Trial Court refusing to frame additional issue, no interference in the impugned order is required as the order is interlocutory in nature. However, in so far right of the petitioners to cross-examine the P.W.-1 is concerned, the petitioners are allowed to cross-examine P.W.-1 on the next date. The petitioners undertakes that they will complete cross-examination in one day as assigned by Trial Court and they shall not seek any adjournment for cross-examination.

2. The writ petition stands disposed of. No costs.

(AMIT BORKAR, J.)