

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR**

Writ Petition No.7176 of 2022

NAMAN COTTON, DEULGAONRAJA, THR. PARTNERS M.S. AGRAWAL, N.S. TAYAL AND P.S. TAYAL AND
ANR. VS MOHAMMAD RAJIK MOHAMMAD SHABIR AND OTHERS

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Shri A.J. Gilda, Advocate for the Petitioner

**CORAM : ANIL S. KILOR, J.
DATED : 03.01.2023.**

Heard.

2. In this petition, a challenge is raised to the order below Exh. C-35 dated 23.09.2022 passed by the learned Labour Court, Amravati, rejecting the application for appointing Court Commissioner for examination of witness.

3. The learned counsel for the petitioner submits that Dr. Yogesh Dhanvat, a witness stays at Jalna, which is at a distance of 150 km and he is busy practitioner and therefore, he cannot come to Amravati. He therefore, states that the trial Court has asked the petitioner to make an arrangement for video conferencing, but there is no proper connectivity at labour Court, Amravati. He therefore, submits that the order is erroneous.

4. I have perused the impugned order.

5. The learned Labour Court has rightly observed that the witness can be examined through video conferencing. Moreover,

as per the statement of the petitioner, he is ready to bear travelling expenses of the Commissioner. Thus, I am of the opinion that if the petitioner makes an arrangement of video conferencing, it will be much less than the travelling expenses otherwise he would require to bear.

6. In the circumstances, I do not find any perversity in the order impugned in the present petition, accordingly, it is **dismissed**.

[ANIL S. KILOR, J.]