



Sonam

IN THE HIGH COURT OF BOMBAY AT GOA
WRIT PETITION NO.614 OF 2024

SONU BHIVA VELIP REP. POA ARJUN
SONU VELIP
Versus
CHIMUT BABU VELIP

... PETITIONER
... RESPONDENT

Mr. Shailesh Redkar with Ms. Namrata Gaonkar, Advocates for the
Petitioner.

Mr. A. D. Bhobe with Ms. Ashwini Bandekar, Advocates for the
Respondent.

CORAM:- BHARAT P. DESHPANDE, J.

DATED :- 29th August, 2024

P.C.:

1. Heard Mr. Redkar, learned Counsel for the Petitioner and Mr. Bhobe, learned Counsel for the Respondent.

2. The present petition is filed challenging the impugned order dated 22.07.2024 passed on Exhibit 75 wherein the learned Trial Court rejected the application filed by the Petitioner for allowing him to examine his son as Power of Attorney. After hearing for some time, Mr. Redkar would submit that Petitioner/Defendant will file an Affidavit in Evidence and apply to the Trial Court for recording cross examination of the Defendant by appointing a Commissioner since, the

Petitioner is 88 years old and is suffering from Cancer.

3. Mr. Bhobe, learned Counsel for the Respondent would submit that he is ready and willing to cross examine the Defendant on Commission.

4. In view of the above statement, the Petition could be disposed of by allowing Petitioner to file an Affidavit in Evidence and an application before the learned Trial Court for appointment of the Commissioner to cross-examine the said Defendant.

5. Mr. Bhobe submits that he will give no objection to such application and will conduct cross- examination of the Defendant on Commission.

6. With these observations, the petition stands disposed of.

BHARAT P. DESHPANDE, J.