



Meena

IN THE HIGH COURT OF BOMBAY AT GOA
WRIT PETITION NO.513 OF 2024

NIGEL SHIPYARD PVT. LTD., REP.
VIDE RESOLUTION ITS DIRECTOR OSRIC
CABRAL

... PETITIONER

Versus

M/S.VAIBHAVI SHIPPING PVT. LTD.,
THR. ITS MANAGING DIRECTOR UDAY K.
NAIK

... RESPONDENT

Mr. Dharmanand Vernekar, Advocate for the Petitioner.

CORAM:- BHARAT P. DESHPANDE, J.

DATED :- 25th July, 2024

P.C.:

1. Heard Mr. Dharmanand Vernekar, learned Counsel for the Petitioner.
2. Challenge in the present petition is to the order dated 20/01/2024 passed by the Civil Court whereby the application for summoning of the Surveyor stands rejected.
3. Mr. Vernekar submits that the document is relied upon in the plaint and even produced by the Pw1/Petitioner and marked 'X' for identification. He submits that even though no list of witnesses is filed, there is no dispute about such document, however, the

Defendants only disputed the first page of the said report which is admittedly on the letterhead of the Petitioner. He submits that this document was signed by Defendant also when the survey was conducted and necessary for the purpose of deciding the suit.

4. Issue notice to the Respondents, returnable on 02/08/2024.

5. Apart from regular service, service by other admissible modes is also permitted.

BHARAT P. DESHPANDE, J.