

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 18810 OF 2024

Noshir Kaikhushru Engineer and anr.

....*Petitioners*

: *Versus* :

Kumar Subramaniyan and ors.

....*Respondents*

Mr. Karl Tamboly with Mr. Shrey Fattepekar, Ms. Anuja Jhunjhnwala and Mr. hrsh tadani i/b M Mulla Associates, for the Petitioners.

Mr. Rubin Vakil, Mr. Rishil Vimadalal (through V.C.) with Mr. Manish Doshi and Ms. Heena Thalesar i/b Vimadalal & Co., for the Respondent No.3.

CORAM : **SANDEEP V. MARNE, J.**

Dated : **19 DECEMBER 2024.**

P.C. :

1) Heard Mr. Tamboly the learned counsel appearing for the Petitioner. Issue notice to Respondent Nos.1 and 2 returnable on 13 January 2025. In addition to court notice, Petitioner to serve Respondent Nos.1 and 2 through private notice and file affidavit of service.

2) Considering the fact that P.W.1 is aged 94 years, prima-facie, this Court is of the view that his deposition needs to be recorded through Court Commissioner. In that view of the matter, the Trial Court is requested to adjourn the proceedings till the next date of hearing. List the petition on **13 January 2025**.

[SANDEEP V. MARNE, J.]