



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. J. Velip, Advocate for the Petitioner.

CORAM:- VALMIKI MENEZES, J.

DATED :- 24th July, 2025

P.C.:

1. The learned Advocate for the Petitioner submits that no further witness has to be examined on behalf of the Plaintiff. However, if the evidence before the trial Court of the Plaintiff is closed, the Plaintiff would be precluded from calling the witness (Surveyor) to prove the report that was sought to be produced by application at Exh.42 before the trial Court, which came to be rejected by the impugned order dated 20.01.2024.

2. Even if the Plaintiff closes the evidence before the trial Court, and the defence evidence proceeds on the next date of hearing on 02.08.2025 and in the event that this Petition is allowed, necessary

directions can be given by this Court for examination of the Surveyor to prove the contents of the documents sought to be produced under application at Exh.42, the trial Court may therefore proceed with the matter, subject to order being passed in this Writ Petition.

3. List the matter on 14.08.2025.

VALMIKI MENEZES, J.