

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 207 OF 2025**

Sanjiv Madhav Joshi

..Petitioner

Versus

Surendra Madhav Joshi & Ors

...Respondents

Mr. Hrishikesh Nabar, i/b Gargi Warunjikar, for the Petitioner.

CORAM: N. J. JAMADAR, J.

DATED : 26th FEBRUARY 2025

P.C.:

1. Heard learned Counsel for the petitioner.
2. The challenge in this Petition is to an order dated 27th November 2024 passed by the learned Civil Judge, Alibag, whereby an application preferred by the petitioner to record his evidence on commission came to be rejected.
3. The learned Civil Judge was of the view that the evidence of the the plaintiff could be recorded through video conferencing. However, without providing such an opportunity, the application came to be rejected.
4. In the backdrop of the observations of the learned Judge in paragraph 5 of the impugned order, it would be appropriate to grant

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liberty to the petitioner to make an application to record his evidence through video conferencing.

5. The petition thus stands disposed with liberty to the petitioner to file an application before the Trial Court to record his evidence through video conferencing.

6. If such an application is filed, the learned Civil Judge shall pass appropriate order keeping in view the observations in paragraph 5 of the impugned order.

7. Petition disposed.

[N. J. JAMADAR, J.]