

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

INTERIM APPLICATION NO. 3868 OF 2025

IN

SUIT NO. 95 OF 2013

Bharat Amratlal Bhagat, through his Constituted
Attorney Kashyap Bipin Barai

... Applicant

Versus

Ranjana Rameshchandra Jethwa and others

... Respondents

.....

Mr. Rohan Kelkar alongwith Mr. Chirag Bhatia, Ms. Rashi Shah
instructed by M/s. Kartikeya and Associates, Advocate for the
Applicant.

Ms. Daulat A. Jehangir alongwith Mr. Danial Jehangir and Mr. Dileep
Satale instructed by Anand Kumar, Advocate for the Respondent No.1.

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CORAM : ABHAY AHUJA, J.

DATE : 11 AUGUST 2025

PC. :

1. This Interim Application seeks modification of the order dated
3rd July 2025 read with the order dated 17th July 2025.

2. When the matter is called out, Mr. Kelkar, learned Counsel,
appears for the Applicant and submits that all that the Applicant is
seeking is exemption from remaining present in Court on 14th August
2025 in view of the festivities in the family as set out in the application
and permitting the Plaintiff to remain present in Court on 8th
September 2025 or any date thereafter instead of 14th August 2025 or

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in the alternative to permit the Plaintiff to remain present virtually for his examination and marking of documents on 14th August 2025.

3. Ms. Jehangir, learned Counsel, appearing for the Defendant No.1 submits that this Court had also directed the Registry to issue notice to EL-CID Co-operative Housing Society to produce documents as directed vide order dated 28th June 2016 within a period of two weeks, failing which this Court would be constrained to pass appropriate orders under the Contempt of Courts Act, 1971.

4. Ms. Jehangir. submits that since 3rd July 2025 as well as since 17th July 2025 two weeks have already gone by and no documents have been produced by the EL-CID Co-operative Housing Society.

5. The learned Associate points out that notice as directed by order dated 3rd July 2025 read with the order dated 17th July 2025 has been issued by the Registry only on 7th August 2025.

6. Be that as it may, let the Interim Application No. 3778 of 2025 be listed as per schedule on 14th August 2025.

7. Having considered the submissions made by Mr. Kelkar, learned Counsel, for the Interim Applicant in Interim Application No.3868 of 2025, this Court permits the Applicant (the Plaintiff in the Suit) to remain present virtually for examination as well as marking of documents.

8. The Interim Application is allowed in terms of prayer clause (b) which reads thus :

(b) In the alternative to prayer clause (a), this Hon'ble Court be pleased to allow the Plaintiff to remain present virtually for his examination and marking of documents on 14th August 2025.

9. The Interim Application is allowed and disposed as above.

(ABHAY AHUJA, J.)