



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE CIVIL JURISDICTION**

CIVIL REFERENCE NO. 1 OF 2025

**(UNDER SECTION 113 READ WITH ORDER XLVI OF
THE CODE OF CIVIL PROCEDURE)**

Mr. K.R. Singhel
(4th Joint Civil Judge,
Senior Division, Pune)

.. Appellant

Versus

1) Smt. Meribai Mozez Peter (Deceased)
C/o. Mrs. Parekh,
Add. - Khan Road, Pune 411 001.

2) State of Maharashtra,
Through Collector, Pune.

.. Respondents

3) Ms. Prema Amritham Aiyer
R/at- 9603, 48th Place, College Park,
Maryland, 20740-1611, USA.

.. (Proposed Respondent)

Mr. Vaibhav Patankar, for Respondent No.3.

**CORAM: B. P. COLABAWALLA &
FIRDOSH P. POONIWALLA, JJ.**

DATE: MARCH 12, 2026

P. C.

1. The above Civil Reference has been filed by the learned Civil Judge Senior Division, Pune, seeking answers to the following 3 questions:-

“(a) Whether the Rule 5.3.1 of the High Court of Bombay Rules for Video Conferencing for Courts 2022 with respect to mannter of recording of evidence of a witness is mandatory?

(b) Whether Civil Court can relax the requirements of Rule 5.3.1 of the Bombay Rules for Video Conferencing for Courts 2022?

(c) Is there a case to relax the requirements fo Rule 5.3.1 of the Bombay Rules for Video Conferencing for Courts 2022 to allow the witness to tender evidence from her residence or a nearby court or government facility centre, under exceptional circumstances, using any licensed version video conferencing software and hardware?”

2. The two parties, namely Sudha Vitthal Amarapurkar and Padma Vitthal Amarapurkar, both residing at S.No. 137/2, Plot No. 11/1, Opp. ITI, Aundh, Pune 411 007, are contesting the claim of Prema Amritham Aiyer, who seeks to examine herself through video conference and therefore seeks a relaxation of certain conditions of the “High Court of Bombay Rules for Video Conferencing for Courts, 2022”.

3. We, accordingly, direct the Registry to issue notice to Sudha Vitthal Amarapurkar and Padma Vitthal Amarapurkar, who are residing at S.No. 137/2, Plot No. 11/1, Opp. ITI, Aundh, Pune 411 007 returnable on 16th April 2026.

4. We now place the above Civil Reference **for directions** on 16th April 2026.

5. This order will be digitally signed by the Private Secretary/ Personal Assistant of this Court. All concerned will act on production by fax or email of a digitally signed copy of this order.

[FIRDOSH P. POONIWALLA, J.]

[B. P. COLABAWALLA, J.]