

IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
ORDINARY ORIGINAL CIVIL JURISDICTION  
SUIT NO. 827 OF 1978

Shri Mahila Griha Udyog Lijjat Papad ..Plaintiff

versus

Pushpa Berry & ors .. Defendants

Mr. N.Merchant i.b K.N.Gor for Plff

Mr.N.M.Shah i/b Ramanlal Vajindas for Deft nos. 1 to 5

None for Deft no.6

CORAM : D.G. KARNIK, J

DATED : 10th June 2005.

P.C.

1. Heard learned counsel for the plaintiff and the defendant nos. 1 to 5. None present for defendant no.6.

2. Learned counsel for the parties state that the plaintiff has already filed an affidavit of PW 1 by way of examination in chief under order 18 Rule 4 of the Code of Civil Procedure and the witness is to be cross examined.

3. Mr. Prakash Ganwani having address at. 1/2, Surya Mahal, 4th floor, 5, Burjorji Bharucha Marg, Fort, Mumbai-1 is appointed as a Court Commissioner for the purpose of recording of the evidence by way of cross examination of PW 1 and of witnesses whose affidavits may be filed in accordance with law under order 18 Rule 4 of the Code of Civil Procedure. The plaintiff and the defendant nos 1 to 5 shall initially pay Rs.2000/- to the Court Commissioner as Commissioner's fees. Final fees would be determined after the Commissioner's report.

4. Parties shall appear before the Court Commissioner at 5.30 p.m. on 17th June, 2005 at the address mentioned above when the Court Commissioner shall fix a schedule of the work.

5. The Commissioner is requested to submit a interim report regarding the cross examination of PW 1 within six weeks. The Commissioner shall act on the copy of this order certified by the Associate. Learned counsel for the plaintiff undertakes to inform the Commissioner of this order.

