

IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
ORDINARY ORIGINAL CIVIL JURISDICTION

SUIT NO.827 OF 1978

Mahila G.U.L. Papad & Co.

...Plaintiffs

Vs.

Pushpa Berry and Ors.

...Defendants

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Mr. Mehul Shah i/b. Bharat Joshi for Plaintiffs.

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**CORAM: V.M. KANADE J.**

**DATED 23RD SEPTEMBER,2008**

**P.C.**

The learned Counsel appearing on behalf of the Plaintiffs submits that by an order dated 12<sup>th</sup> August, 2008, time granted to the Commissioner for recording the evidence was extended for a further period of six weeks. He submits that however, the Defendants' Counsel remained absent and did not cross examine the Plaintiffs. As a result, the Commissioner had given a date. The learned Counsel for the Plaintiffs further submits that the Defendants are not co-operating with the Commissioner, therefore, this Court be pleased to pass an order of 'no-cross' by the Defendants. Last opportunity is given to the Defendants to cross-examine the witness. But, if the Defendants' Counsel does not remain present, in that event, the Defendants shall not be permitted to cross-examine the Plaintiffs' witness.

/ 2 /

S.O. for four weeks.

**V.M. KANADE J.**