

Atul

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
SUIT NO. 716 OF 2008

Fatehali Hassanali Karim & Ors. ...Plaintiffs
Versus
Gulamhussein Abdulaziz Karim & 11 Ors. ...Defendants

Mr. Naser Rizvi, *i/b M/s. Thakore Jarimala & Associates, for the Plaintiffs.*

Mr. M. R. Irani, *for Defendants Nos. 1 to 4.*

Mr. Nimay Dave, *a/w Ms. Shristi Verma, i/b M/s. M. K. Ambalal & Co., for Defendants Nos. 5 to 7.*

CORAM: G.S. PATEL, J
DATED: 23rd April 2015

PC:-

1. There is some controversy about the order of cross-examination of the witness of Defendants Nos. 5 to 7. It is clarified, after hearing parties, that this witness will first be cross-examined on behalf of Defendants Nos. 1 to 4, if they so wish, followed by the cross-examination on behalf of the Plaintiffs and then, since Defendants Nos. 8 to 10 are supporting the Plaintiffs, the cross-examination on behalf of Defendants Nos. 8 to 10.

2. As to the question of sharing of the costs of the commission and Commissioner's fee, this has been previously clarified by Mrs. Justice R.S. Dalvi. No further directions are required in that behalf, except to say that my order dated 9th March 2015 saying that the fees are to be borne equally is evidently in error. It was never intended to supersede Mrs. Justice R.S. Dalvi's order. To that extent, my order of 9th March 2015 stands modified.

3. Time for completion of commission is extended till 31st July 2015.

(G. S. PATEL, J.)