

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

SUIT NO. 3407 OF 1995

Prithuiraj H. Bajaj and Anr.

...Plaintiffs

V/s.

LIC and Ors.

...Defendants

WITH

INTERIM APPLICATION (L) NO. 34346 OF 2023

Mr. Mantul Bajpai with Ms. Vrushabh Vig i/b Crawford Bayley and Co. for the Plaintiff.

Mr. Oduvil Mohandas with Mr. J.P. Kapadia i/b Little & Co. for the Defendant No.1.

Ms. Sayali Apte with Ms. Anjali Maskar i/b Mr. P. G. Lad for Defendant No. 2-MHADA.

Ms. Kavita Solunke with Ms. Priyanka Singh for the Defendant No. 3-MMRDA

Mr. G. O. Giri i/b Ms. Komal Punjabi for MCGM.

CORAM : ABHAY AHUJA, J.

DATE : 11<sup>th</sup> JULY, 2025

PC. :

Interim Application (L) No. 34346 of 2023

1. When the matter is called out, Mr. Mohandas, learned Counsel appears for the Defendant No. 1 and submits that the said Interim Application is infructuous and be disposed of as such.

2. The Interim Application accordingly stands disposed as infructuous.

3. Learned Counsel appearing for the Plaintiff and for the Defendant No. 1 seek condonation of delay in filing the report of the Commissioner recording cross-examination. The delay is condoned.

4. Ms. Apte, learned Counsel appears for the Defendant No. 2 and seeks one week's time to file affidavit in lieu of examination-in-chief of the second Defendant's witness and also serve it on the other side along with the compilation of documents. However, Mr. Mohandas, learned Counsel for the Defendant No. 1 submits that the evidence of one more witness would need to be filed and this Court may grant some time to first identify the witness and then to file the evidence.

5. Accordingly, let the first Defendant's second witness file affidavit of evidence and compilation of documents within a period of three weeks with copy to the other side.

6. Discovery and inspection in two weeks thereafter. Statement of admission and denial in a week thereafter with copy to the other side.

7. List for marking of the first Defendant's second witness's documents on **4<sup>th</sup> September, 2025.**

8. Let second witness of the Defendant No.1 remain present in the Court on the next date.

9. After recording of the evidence of the first Defendant's second witness, this Court will give directions with respect to the evidence of the Defendant No.2.

**(ABHAY AHUJA, J.)**

Digitally  
signed by  
NIKITA  
YOGESH  
GADGIL  
Date:  
2025.07.11  
19:34:07  
+0530