

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

SUIT NO. 888 OF 2008

Nirad Amilal Mehta

... Plaintiff

Vs

1. Genelec Limited & 6 ors.

... Defendants

Mr. B.A. Shah i/b M/s. Mansukhlal Hiralal & Com for the Plaintiff.

Mr. Kevic Setalvad with Mr. Dhiren Shah & Mr. Sunil Kadam i/b Vimla & Co. for the Defendant Nos.3 and 4.

Mr. D.D. Madon, senior counsel with Mr. Sangram i/b M/s.Mulla & Mulla and Cragie Blunt & Caroe for the Defendant Nos.5 and 6.

Mr.D.P. Desai for Mr.Vinod Fadra–Director of M/s. Genelec Limited.

Mr. Bhupen Dalal – CHS No.465 of 2009.

Dr. T. Pandian, Deputy Official Liquidator present.

CORAM : S.J. VAZIFDAR, J.

DATED : 13TH AUGUST, 2010.

P.C. :

1. The Official Liquidator has been appointed in Suit No.888 of 2008 in respect of the first-Defendant company. Leave is granted to the Plaintiff under section 446 to implead the Official Liquidator of

Defendant No.1 and to proceed with the suit accordingly.

2. Written Statements, if any, shall be filed on or before 20th September, 2010. Affidavit of documents will be filed on or before 11th November, 2010. Discovery and inspection forthwith thereafter. The suit to be placed on board for framing issues on 25th November, 2010.

3. The parties have agreed that the evidence be recorded on commission. In any event, this is a fit matter where a Commissioner should be appointed for recording evidence. Ms. Zerestine Sidhwa, an advocate of this court, is appointed as a Commissioner for recording evidence.

4. Directions regarding the apportionment of costs of the Commissioner and orders regarding putting the Official Liquidator in funds in respect of the trial shall be passed subsequently.

5. All connected matters, which are at Sr. No.46 of today's Board, to be placed along with the suit on 25th November, 2010.