

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

SUIT NO. 2698 OF 2002

Ram Prakash Anand

..... Plaintiff

VERSUS

Devinder Devraj Ghai

..... Defendant

.....

Mr. Rupesh Lanjekar for plaintiff.

Mr. D.V. Deokar a/w Mr. Pinakin Modi i/b M/s. Parimal K. Shroff & Co. for Defendant in suit and plaintiff in counter claim.

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CORAM : K. R. SHRIRAM, J.
DATED : 29th OCTOBER, 2015

PC.

1. The plaintiff's second witness - Mr. Rajeev Ram Anand (PW-2) is present in court and is administered oath. On oath, PW-2 confirms having affirmed an affidavit dated 26th October, 2015 in lieu of examination-in-chief and also identifies his signature. The same is taken on record and marked **Exh. P-5**. The affidavit is filed to prove, *inter alia*, the document which was marked X-1 for identification on 01/12/2014.

2. In view of the aforesaid, the contents of Exh.P-5, the document that was marked Exh.X-1 for identification is now marked **Exh. P-6**.

3. The Commissioner has been appointed to record evidence. The fees of the Commissioner together with administrative expenses and venue charges, if any, to be shared equally between the parties and the same will be costs in the suit.

4. The Commissioner to fix, preferably three consecutive dates for cross-examination of PW-2. The dates to be fixed in such a manner that the evidence of PW-2 is to be completed by 31st December, 2015. No adjournment on any ground whatsoever should be granted to any of the parties unless the situation is so grave that the hearing cannot take place.

5. Liberty to apply.

(K. R. SHRIRAM, J.)