

Yugandhara Patil

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

SUIT NO. 786 OF 1994

The United Church Board for World
Ministries and Ors. Plaintiffs

V/s.
The Municipal Corporation of Greater
Bombay and Ors.
Defendants

Mr. Kirit Modu a/w Anuj Jaiswal i/b Little and Co. for Plaintiffs.
Ms. Mastakar a/w Ms. Priyanka Naik for Defendants.

CORAM : N. J. JAMADAR, J.

DATED : 21st JANUARY, 2020

P.C. :

1. The learned counsel for the plaintiffs submits that Mr. Bhalchandra Chakranarayan P.W. No. 1, who had filed an affidavit in lieu of examination-in-chief on 3rd September 2014, is not in a condition to depose before the Court as he is suffering from Glioblastoma Multiforme and has undergone surgery to remove a brain tumour. The plaintiffs thus desire to examine another witness in lieu of Mr. Bhalchandra Chakranarayan.

2. The learned counsel for the plaintiffs seeks leave to file affidavit in lieu of examination-in-chief of its first witness namely Mr. Robert Moses.
3. Plaintiffs are at liberty to file affidavit in lieu of examination-in-chief of Mr. Robert Moses and serve its copy on the defendants.
4. The plaintiffs shall keep their witness Mr. Robert Moses, present in the Court, for recording further evidence and marking of the documents.
5. Stand over to 18th February 2020.

(N. J. JAMADAR, J.)