

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

SUMMARY SUIT NO. 88 OF 2002

Prasar Bharati (Broad Casting Corpn. India) .. Plaintiff
Vs.
Western Co-op. Bank Ltd. .. Defendant

Mr.Kazan Shroff i/b Mr.Anil T. Agarwal for plaintiff.

**CORAM : K.R.SHRIRAM, J.
DATE : 5TH DECEMBER, 2016**

P.C.

1 Mentioned. Not on board.

2 Shri Shroff, counsel appearing for the plaintiff states that the plaintiff was to file their list of witnesses and affidavit in lieu of examination in chief of their first witness and serve a copy thereof upon defendant on or before 29th August 2016.

The counsel states that due to unavoidable circumstances, the affidavit could be affirmed only on 7th October 2016 but due to inadvertence, the could not serve the affidavit or apply for extension of time. The counsel requests the lapse be condoned and the registry be directed to accept the list of witnesses and affidavit in lieu of examination in chief of their first witness. The counsel also undertakes to serve a copy upon the defendant on or before 8th December 2016.

3 The registry to accept the list of witnesses and affidavit in lieu of examination in chief of their first witness.

4 Stand over to 6th January 2017 for marking of documents on which date the plaintiff's first witness to remain present in Court.

(K.R. SHRIRAM, J.)