

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
CHAMBER SUMMONS NO.782 OF 2013
IN
SUIT NO.407 OF 2013**

M/s. Chandansagar Infrastructure Pvt. Ltd. ... Applicant/Plaintiff
versus
Alka Ashok Mehta and Ors. ... Defendants

Mr. Dharmesh S. Jain, for Plaintiff.
Mr. Mani Thovar i/by M/s. Mahesh Menon and Co., for Defendant Nos.3 to 5.
Mr. R.P.Ojha, for Defendant No.12.

CORAM: S.J. KATHAWALLA, J.

DATE: 13th AUGUST, 2015

PC.:

1. The above Chamber Summons is taken out for the following reliefs :

(a) this Hon'ble Court may be pleased to pass an order with directions to the Defendant No.7 to give inspection as well as provide photocopies of the Original documents referred to and relied upon in his Affidavit-in-Reply filed in the Notice of Motion No.926 of 2013 to the Plaintiff within a period of time as this Hon'ble Court may deem fit and proper;

(b) this Hon'ble Court may be pleased to pass an order that if the Defendant fails to give the inspection and

photocopies of the Original documents within a period of time as this Hon'ble Court may fix, then this Hon'ble Court may be pleased to pass an order thereby not allowing the Defendant No.7 to rely upon the documents referred to and relied upon in his Affidavit-in-Reply filed in the Notice of Motion No.926 of 2013;

2. The above Chamber Summons is served on the Advocate for the Defendant No.7 on 18-01-2014. The same was again served by the Advocate for the Plaintiff under cover of his Letter dated 26-02-2014 and confirmed by his letter dated 03-02-2015. However, no Affidavit-in-Reply is filed. In view thereof, the Chamber Summons is allowed in terms of prayer clause (a), which is reproduced hereinabove. The Defendant No.7 is directed to give inspection of documents to the Plaintiff and/or their Advocates on or before 24th August, 2015. It is clarified that if the Defendant No.7 fail to give inspection of documents as directed by this order, the Defendant No.7 shall not be allowed to use the documents at the time of hearing of the Suit or in any interim proceedings. The Chamber Summons is accordingly disposed of. A copy of this order shall be forthwith served by hand delivery on the Advocate for Defendant No. 7 as well as Defendant No.7 by the Advocate for the Plaintiff.

3. Place the Suit for Directions on 25th August, 2015, first on board,
for Directions.

(S.J.KATHAWALLA, J.)