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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
NOTICE OF MOTION NO. 638 OF 2015
IN
SUIT NO. 3207 OF 2001**

Maganlal Savani & Another	...Plaintiffs
<i>Versus</i>	
Smt. Lakshmi P. Chakravorty & Others	...Defendants

Mr. Zain Mukhi, i/b Mr. H.V. Kode, for the Plaintiffs.
Mr. Ankit Lohia, i/b Kadam & Co., for Defendant No. 3.

CORAM: G.S. PATEL, J
DATED: 11th July 2016

PC:-

1. This is the Plaintiffs' Notice of Motion for leave to file Additional Affidavit of Evidence. Ordinarily, no such Notice of Motion would be either necessary or desirable. In this case, I rather suspect that the Plaintiff No. 1 has brought this upon himself. I am given to understand that he has filed three Affidavits of Evidence. Even these are not sufficient to prove his documents. The documents themselves are compiled in what is described to me today as "two or more" compilations. The Plaintiff is 96 years old. He will not be able to come to Court. At this stage, it is difficult to see how these documents can be marked in this fashion. Yet, the

Plaintiff must be allowed this opportunity to put in his Affidavit of Evidence.

2. The Notice of Motion is made absolute in terms of prayer clause (a). The fourth (and final) Affidavit in lieu of examination in chief is to be filed and served on or before 29th July 2016. The further compilation (the third in the series) is to be brought to Court on the next occasion since it contains the originals. A copy has been served on the Advocates for the Defendants.

3. List the matter high on the supplementary board for marking the Plaintiffs' documents on 29th July 2016.

(G. S. PATEL, J.)