

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

CHAMBER SUMMONS NO. 626 OF 2010

IN

SUIT NO. 2110 OF 2004

Ramila Rajnikant Kilachand

.. Plaintiff

Vs.

Harsh Rajnikant Kilachand & Ors.

.. Defendants

Ms.L.M. Jenkin i/b LMJ Law Practice for plaintiff.

Ms.Bharati Indulkar i/b DSK Legal for defendant nos.1 to 4, 78,79,83.

Mr.Anirudh Hariani a/w. Mr.Malcom Singanporia i/b Hariani & Co. for defendant no.74.

Ms.Veena Khatri i/b Kanga & Co. for defendant no.74A.

Mrs.S.Surve i/b M/s. Little & Co. for defendant nos.108.

CORAM : K.R.SHRIRAM, J.

DATE : 21ST APRIL, 2016

P.C.

1 The counsel for defendant no.74(A) submitted as under and the serial number below relate to the Schedule annexed to the chamber summons :-

(1) The counsel for the plaintiff states that this is an Agreement between Late Chinubhai Kilachand and defendant no.74(A) and they are not a party. The counsel states that therefore they can give a copy of the said Agreement to the applicant. Copy to be handed over within two weeks.

(2) The counsel stated that there was no Agreement and it was only an oral Agreement with defendant no.74.

The counsel appearing for defendant No.74 stated that there was no agreement at all, viz., oral or in writing with defendant No.74 and undertakes to file and serve a copy upon plaintiff and defendant No.74 an affidavit to that effect within two weeks from today.

(3) The registry to provide, on receiving an application from the applicant, certified copy of the record and proceedings in Suit No.211 of 1988.

(4), (5) & (6) The counsel for defendant Nos.74(A) states that copies thereof will be provided within two weeks from today.

(7) The counsel states that there were no documents in relation to defendant no.74(A) dealing with the estate of late Ambalal Kilachand and late Rajnikant Kilachand.

2 The Court accepts the statement made by the counsels and it is made clear that if at all any document comes up later, defendant no.74(A) will not be permitted to rely upon any such document.

3 In view of above, the chamber summons stands disposed.

(K.R. SHRIRAM, J.)