

JSN

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
CHAMBER SUMMONS NO. 727 OF 2012
IN
SUIT NO. 1786 OF 2011

Ashok Kishinchand Punjabi ... Plaintiff
Versus
Thanwar Kishinchand Punjabi and others ... Defendants

Mr. Vivek Sharma, i/b R.R. Sharma for the Plaintiff / Applicant.
Mr. Amol Joshi, for Defendant No.1.
Mr. Rajiv Naik, i/b Anisha Narayanan for Defendants Nos. 2 and 3.

CORAM: G.S. PATEL, J
DATED: 6th December 2016

PC:-

1. Heard.

2. This Chamber Summons by the Plaintiff is completely misconceived. It seeks a direction against the 1st Defendant to furnish certain documents relating to the shares of the deceased mother, Rani Kishinchand Punjabi, in Meera Industries Limited, Hong Kong, and the manner in which they have been transferred 1st Defendant. This is unrelated to any disclosures or pleadings. There are no pleadings filed in Court such as a written statement by which such an order can be sought against the 1st Defendant. This appears to be a fishing enquiry to gather evidence for a possible amendment

for use of the trial of the Suit. All contentions being kept open, these are matters that will have to await trial. If the Defendant No.1 has in his power or possession any of these documents and if they are relevant or related to the subject matter of the Suit, no doubt they will be brought on record at the appropriate time. The Plaintiff will have an opportunity after the 1st Defendant has filed his Written Statement to make an application for discovery and inspection of such documents as the 1st Defendant relies on his pleading.

3. The Chamber Summons is dismissed. There will be no order as to costs.

(G. S. PATEL, J.)