

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

**CHAMBER SUMMONS NO.544 OF 2014
WITH
NOTICE OF MOTION NO.1172 OF 2013
IN
COMMERCIAL SUIT NO.121 OF 2016**

Ashok Lal

....Applicant/Plaintiff

V/s.

Tulsi Ramsay & Anr.

....Defendants

Ms. Ishita Shah i/b. Mr. Mayur D. Bhatt for the applicant/plaintiff.
Mr. Vinat Saraf i/b. Mr. Girish B. Kedia for the defendants.

CORAM : K.R.SHRIRAM,J

DATE : 21st SEPTEMBER, 2016

P.C.:-

CHAMBER SUMMONS NO.544 OF 2014

1 This chamber summons is taken out on behalf of plaintiff to direct the defendant no.1 to give inspection of documents mentioned in prayer clause – (a). It is stated in the affidavit in support that the defendant no.1 has in affidavit in reply dated 24th September, 2014 filed in notice of motion no.1172 of 2013 referred to/relied upon these documents. The counsel for the applicant states that these documents are necessary for deciding the issue between the parties.

2 The defendant no.1 has not filed any affidavit in reply to the chamber summons and the counsel for the applicant states that they have served the advocate for defendant no.1 on 1st July, 2014

and undertakes to file affidavit of service within one week from today.

3 Since the defendant no.1 has not controverted the averments contained in the affidavit in support of the chamber summons and since the documents that the applicant is seeking inspection of are those documents which are referred to/relied upon by defendant no.1 in its affidavit in reply dated 24th September, 2014 to the notice of motion no.1172 of 2013, I am inclined to grant the relief as sought in prayer clause – (a).

4 The chamber summons accordingly stands disposed.

5 The defendant no.1 to give inspection of the documents mentioned in prayer clause – (a) of the chamber summons and also make available photocopies thereof duly certified as true copies to the plaintiff within four weeks from today.

NOTICE OF MOTION NO.1172 OF 2013

1 The counsel for the plaintiff seeks leave to withdraw the notice of motion.

2 The notice of motion is disposed as withdrawn.

(K.R.SHRIRAM,J)