

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

**CHAMBER SUMMONS NO. 241 OF 2017
IN
SUIT NO. 5111 OF 1994**

Office Notes, Office Memoranda of Coram, Appearances, court's orders or directions and Prothonotary's orders	Court's or Judge's orders
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Mr. Dileep Nevatia, Plaintiff in person present.
Mr. Jaideep Raut a/w Ms. Heena Daulat i/by.
Crawford Bayley & Co. for Defendant No.1.
Ms. Sana Bundeally a/w Surbhi Soni a/w Darshan Furia i/by. Ashish Mehta for Western Naval Command.

**CORAM : K. K. TATED, J.
DATE : NOVEMBER 22, 2017**

P.C.:

. Heard Applicant Mr. Dileep Nevatia – party in person and Mr. Jaideep Raut for Defendant No.1 and Ms. Sana Bundeally for Western Naval Command.

2. This Chamber Summons is preferred by the Plaintiff directing Defendant No.1 to produce from their custody the original documents/tracing set out at Schedule-A to the Chamber Summons.

3. Applicant- party in person submits that Defendant No.1 had filed their Affidavit in reply

dated 16th June, 2017 through Mr. R. Rengarajan, authorized signatory of the Defendant No.1. He submits that the Deponent on behalf of Defendant No.1 in Affidavit in reply in para 2 specifically stated that original documents are destroyed. Therefore, it is not possible for them to produce the same before this Court.

4. Applicant- party in person submits that in view of this statement nothing is survived in this Chamber Summons. To that effect, he has given in writing. Same is taken on record and marked “X” for identification. He submits that Chamber Summons may be disposed of, as withdrawn with liberty to file appropriate proceedings for the same cause of action.

5. Considering the submissions made by the Applicant-party in person, following order is passed.

ORDER

(A) Chamber Summons stands disposed of, as withdrawn.

(B) No order as to costs.

(C) Liberty is granted to the Applicant to file appropriate proceedings for the same cause of action.

(K.K.TATED, J.)