

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ADMIRALTY AND VICE ADMIRALTY JURISDICTION
CHAMBER SUMMONS NO.31 OF 2016
IN
COMMERCIAL SUIT NO.7 OF 2014
(ADMIRALTY SUIT NO.4 OF 2014)**

ICICI Bank LimitedApplicants/Plaintiffs

Vs.

M.V. Kamal XXIX and Ors.Defendants

Ms. Anjala Praveen i/b. Vidhii Partners for applicants/plaintiffs.

Ms. Richa Sahay i/b. Ashwin Shanker for defendant no.5.

CORAM : K.R.SHRIRAM, J.

DATE : 7th JUNE, 2017

PC.:

1 This chamber summons is for leave to lead secondary evidence. Ms. Praveen, counsel for plaintiffs states that plaintiffs have already filed their affidavit in lieu of examination in chief and if they are permitted to file further affidavit in lieu of examination in chief to explain why the original documents are not available and secondary evidence should be accepted, plaintiffs will withdraw this chamber summons.

2 In my view, it is a fair suggestion. Therefore, chamber summons is dismissed as withdrawn. Plaintiffs to file additional affidavit of evidence of their witness and serve a copy thereof upon defendants within four weeks.

3 Stand over to 17th July, 2017 for marking of documents/ receiving evidence on record on which date plaintiffs' witness shall remain present in court.

(K.R. SHRIRAM, J.)