

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
CHAMBER SUMMONS NO.628 OF 2014
IN
SUIT NO.205 OF 2014**

Bharatlal Zuri SinghApplicant/Plaintiff

V/s.

Raisaahab Ramlakhan Singh & Ors.Defendants

Mr. Aditya Shiralkar a/w. Mr. Rajesh Talekar i/b. Mr. Nitin S. Parkhe
for the applicant/plaintiff.

Mr. Shreepad Murthy a/w. Mr. Abhishek Patil i/b. S. Mehra for the
defendant no.1.

Mr. Piyush Shah for the defendant no.2.

CORAM : K.R.SHRIRAM,J

DATE : 12th JANUARY, 2017

P.C.:-

1 Mr. Shiralkar, counsel appearing for the applicant states that the defendant no.2 has communicated vide a letter dated 30th September, 2016 and another letter dated 18th October, 2016 that they are ready and willing to give inspection of such documents which are in their possession. Mr. Murthy, counsel appearing for the defendant no.1 states that they will also give inspection of documents which are in their possession. Mr. Shiralkar, counsel for the applicant states that if the defendants wish to take inspection of any document, the plaintiff will also give inspection.

2 In view of the above, Mr. Shiralkar, counsel for the applicant states that nothing survives in this chamber summons and the chamber summons could be treated as disposed.

3 Therefore, the chamber summons accordingly stands disposed.

4 At the same time, the defendant no.1 and defendant no.2 to file an affidavit confirming which of the documents are with them from the Schedule annexed to this chamber summons and which are not with them. Mr. Murthy, counsel for the defendant no.1 rightly points out that some of the items in the Schedule to the chamber summons does not convey what document the plaintiff is really seeking inspection of.

5 Mr. Shiralkar, counsel for the applicant states that the plaintiff shall forward a list of documents containing all the details so that the defendant no.1 and defendant no.2 will be able to identify what the plaintiff is seeking. Mr. Shiralkar further states that the same will be served within one week from today.

 The affidavits as mentioned in paragraph 4 above to be filed and copy served within two weeks of receiving the

communication from the advocate for the plaintiff. In the meanwhile, inspection to be given.

6 The defendant nos.3 to 5 have not filed any affidavit in reply nor is anyone present in court to oppose the application. Therefore, the defendant nos.3 to 5 are also directed to give inspection of the documents that would be mentioned in the Schedule annexed to the chamber summons and also file the affidavit as mentioned in paragraph 4 above within two weeks of receiving the communication from the advocate for the plaintiff.

7 Mr. Shiralkar, counsel for the plaintiff states that chamber summons lodging no.2276 of 2016 is pending.

Affidavit in reply to the chamber summons lodging no.2276 of 2016 to be filed and copy served within three weeks from today.

8 Chamber summons lodging no.2276 of 2016 to be listed for hearing on 13th February, 2017. In the meanwhile, applicant to remove all office objections and get the chamber summons numbered.

(K.R.SHRIRAM,J)