

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

SUIT NO.171 OF 1982

S.D. ChoksiPlaintiff

Vs.

T.V. Patel Pvt. Ltd. and Anr.Defendants

WITH

SUIT NO.794 OF 1982

WITH

SUIT NO.2144 OF 1989

Mr. Asim Tirmizi I/b. Veritas Legal for plaintiff in S/171/1982 and for defendant no.3 in S/794/1982 and for defendant no.4 in S/2144/1989.

None for plaintiff in S/794/1982.

Mr. Rahul P. Jain I/b. Alpha Chambers for defendant no.4 in S/171/1982 and S/794/1982 and for plaintiff in S/2144/1989.

Ms. Soniya Putta for Mr. J.S. Solomon, Administrator/Receiver of Assets appointed for Tulsi Das V. Patel Limited.

CORAM : K.R.SHRIRAM, J.

DATE : 25th OCTOBER 2018

P.C.:

SUIT NO.794 OF 1982

1 On 19th October 2018 suit was stood over because plaintiff's witness was absent. Even today the witness is absent.

2 Therefore, suit dismissed.

SUIT NO.171 OF 1982

1 Mr. Tirmizi, counsel for plaintiff states that plaintiff will lead evidence in this suit. Mr. Tirmizi states that he does not even know what is happening. Mr. Tirmizi states that the compilation of documents have been filed, inspection has been given but statement of admission and denial has

not been received. The counsel for defendants state that on or before 31st October 2018 they will provide to plaintiff's advocates statement of admission and denial with reasons for denial.

2 On or before 23rd November 2018, plaintiff shall also file list of witnesses, affidavit in lieu of examination in chief and serve a copy thereof upon defendants. It is made clear that if this evidence affidavit is not filed and copy served, plaintiff's evidence will be treated as closed.

3 Stand over to 29th November 2018 for marking of documents/ recording of evidence on which date plaintiff's first witness shall remain present in Court. If the witness does not remain present in Court on the next date, the suit will be dismissed.

SUIT NO.2144 OF 1989

Stand over to 29th November 2018.

(K.R. SHRIRAM, J.)