

Shephali

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO. 328 OF 2017

IN

SUIT NO. 735 OF 2004

Maurice Correa

...Plaintiff

Versus

Dirk Allams & Ors

...Defendants

Ms Sandhya Nanavare, I/b M Janardhanan, for the Plaintiff.

Mr Ganesh Ambekar, I/b Thakore Jarimala & Associates, for the Defendants.

CORAM: G.S. PATEL, J

DATED: 26th June 2018

PC:-

1. The Notice of Motion is thoroughly misconceived. The Notice of Motion is dismissed as withdrawn. The Plaintiff will be at liberty to prove the documents by primary or secondary evidence as permitted in law and in accordance with law. There is no question of requiring leave to lead secondary evidence. Either secondary evidence is led or it is not. The law in that regard is settled.

2. The Notice of Motion is dismissed as withdrawn with these observations. There will be no order as to costs.

(G. S. PATEL, J)