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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
IN ITS COMMERCIAL DIVISION
NOTICE OF MOTION NO. 1624 OF 2018
IN
COMM SUMMARY SUIT NO. 68 OF 2013**

Lirin Riadlines Private Limited	...Plaintiff
<i>Versus</i>	
Pravin C Chheda	...Defendant

Ms Jyotsna N Pandhi, *for the Plaintiff.*
Mr Gaurav Mehta, *i/b Suraj Dessai Almeida, for the Defendant/
Applicant.*

CORAM: G.S. PATEL, J
DATED: 26th November 2018

PC:-

1. Mr Mehta for the Defendant seeks recall of an order dated 12th April 2018. This was an order by SC Gupte J marking the Plaintiff's documents in evidence. The order notes that the Defendant had not communicated a statement of admission and denial despite observations earlier made and several opportunities.

2. It is not possible in law to "unmark" a document received in evidence. I believe it is sufficient to clarify that the Defendant's contentions as to relevance, authenticity, correctness of contents

and, where applicable, authenticity of the Defendant's alleged signature on the documents are expressly kept open to the trial of the Suit and the Defendant will be at liberty to cross-examine the Plaintiff's witnesses on all these aspects.

3. Time for recording the cross-examination on commission before Mr Raja, previously appointed as Commissioner, is extended till 30th April 2019.

4. List the Suit for directions on 2nd May 2019.

5. The Notice of Motion is disposed of in these terms. There will be no order as to costs.

(G. S. PATEL, J)