

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

COMMERCIAL SUIT NO.36 OF 2017

WITH

NOTICE OF MOTION NO.253 OF 2019

NOTICE OF MOTION NO.275 OF 2019 (Not listed)

Harish Devidas Thawani)...Plaintiff

V/s.

IIFL Holding Ltd. and Ors.)....Defendants

Mr.Piyush Raheja a/w Mr.Feroze Patel and Ms.Nupur Desai I/by Markand Gandhi and Co. for plaintiff.

Mr.Sandeep Parekh a/w Ms.Nipa Ghosh I/by Dharam and Co. for defendant nos.1, 3 to 11, 16 to 19.

Mr.Sandeep parekh I/by gordhandas and Fozdar for defendant nos.2, 12 to 15.

CORAM : K.R.SHRIRAM,J

DATE : 23.1.2019

P.C.:-

1. Notice of Motion No.253 of 2019 is listed today with the suit.

2. Notice of Motion No.275 of 2019 though not listed, is also taken with the consent of parties.

3. Mr.Raheja for plaintiff on instructions states that the Court may condone the delay and allow the reliefs sought in both Notices of Motion. Notice of Motion No.275 of 2019 and Notice of Motion

No.253 of 2019 disposed in terms of prayer clauses-(a) and (b) which read as under :-

“(a) that delay, if any, in filing the Affidavit of Documents of Defendant Nos.1, 3 to 11, 16 to 19 be condoned ;

(b) the present Application be allowed and that the delay of 4 weeks in filing of this Affidavit of Documents be condoned.”

4. As regards the suit, Mr.Raheja states that due to inadvertence, certain documents have been missed-out in the affidavit of documents filed, and seeks leave to file further affidavit of documents.

5. Mr.Parekh for respondent nos.1, 3 to 11, & 16 to 19 has no objection. Therefore, registry to take on file the supplementary affidavit of documents being filed by plaintiff.

6. At the request of plaintiff, stand over to 6.3.2019. Parties to give inspection of each others' documents and exchange statement of admission and denial with reasons for denial within two weeks from today.

(K.R.SHRIRAM,J)