

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
IN ITS COMMERCIAL DIVISION
COMMERCIAL CHAMBER SUMMONS NO.182 OF 2018
WITH
COMMERCIAL NOTICE OF MOTION NO.719 OF 2017
IN
COMMERCIAL IP SUIT NO.795 OF 2017**

Pentagram Films Pvt. Ltd.Plaintiff

Vs.

Arjun Rampal and Ors.Defendants

Mr. Shyam Panchmukhi I/b. Mr. Aditya Pratap for plaintiff.

Mr. Vivek Kantawala a/w. Mr. Sunny P. I/b. SSP Legal and Co. for defendant no.1/applicant in CHSCD/182/2018.

Mr. Aakash Rebello I/b. SSP Legal for defendant nos.2 and 3.

CORAM : K.R.SHRIRAM, J.

DATE : 15th JULY 2019

P.C.:

COMMERCIAL CHAMBER SUMMONS NO.182 OF 2018

1 Plaintiff has relied upon certain documents of which inspection is being sought by defendants. I see no prejudice if plaintiff is directed to give inspection of the documents relied upon in the plaint as well as in the notice of motion.

2 I am not for a moment saying that plaintiff is deliberately not giving inspection but the fact is it will be in plaintiff's interest if inspection is given so that the suit can proceed expeditiously.

3 In the circumstances, plaintiff is directed to give inspection within two weeks from today. Inspection shall be given of the original

documents and if documents are not available, then plaintiff will state who has those documents. If inspection of photocopy is given, then plaintiff will explain why inspection of original documents cannot be given. Within one week of taking inspection, defendants shall also give their statement of admission and denial with reasons for denial.

4 Mr. Kantawala and Mr. Rebello state that writ of summons has not been served. The counsel for plaintiff is unable to answer because he states that he has not taken instructions and he has to check the records. I would have expected plaintiff to be ready with these answers. Mr. Kantawala and Mr. Rebello waive service of the writ of summons.

5 Written statement to be filed and copy served within 30 days of taking inspection of the documents from plaintiff.

6 Chamber summons accordingly stands disposed.

7 Suit to be listed for directions on 30th August 2019.

(K.R. SHRIRAM, J.)