

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

CHAMBER SUMMONS NO. 920 OF 2018

IN

SUIT NO. 109 OF 2013

Chetak Co-op HSG
Society Ltd.

...Applicant/Plaintiff

Vs

Sandhu Builders & Ors.

...Defendants.

Ms Gauri Joshi i/b S.K.Legal Associates LLP for the applicant/
plaintiff.

Mr Mahendra Ghelani i/b Mr Parikshit Desai & V. Yadav for
defendant Nos.1 to 4.

Mr Sagar Patil for the MCGM.

CORAM : B.P. COLABAWALLA, J.

DATED :- 5th SEPTEMBER, 2019.

P.C. :-

1. This Chamber Summons has been filed by the applicant / plaintiff seeking inspection of the documents referred to and relied upon in the written statement. This Chamber Summons is vehemently opposed by the learned Advocate appearing on behalf of defendant Nos. 1 to 4. He has tendered a chart of the documents of which inspection has been given to the applicant / plaintiff. What is important to note is that the written statement of defendant Nos. 1 to 4 was filed on 9th September, 2014 and what is sought to be relied upon is inspection given of certain documents much prior to the said

date. In fact, from this chart, I find that out of fifty documents, majority of them, the alleged inspection has been given (as per this chart) much prior to the filing of the written statement.

2. Without going into any further details, whether inspection has been in fact given or not, and to obviate any further delay of controversy, defendant Nos. 1 to 4 are directed to give inspection of all the documents (the originals thereof and which are in possession of defendant Nos. 1 to 4) to the advocate for the plaintiff. The said exercise shall be completed on a mutually agreed date and time between the Advocates for the plaintiff and Advocates for defendant Nos. 1 to 4 but in any event within a period of three weeks from today. The Chamber Summons is accordingly disposed of. No order as to costs.

3. At this stage, the learned Advocate appearing on behalf of defendant Nos. 1 to 4 has prayed for stay of this order. Considering that I have only ordered giving inspection of the documents, and which in any event, the plaintiff is entitled under law, the stay is refused.

(B.P. COLABAWALLA, J.)