

Ashwini

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
IN ITS COMMERCIAL DIVISION
COMM ARBITRATION PETITION (L) NO. 1321 OF 2019
WITH
INTERIM APPLICATION NO. 1 OF 2019**

Tata Capital Financial Services Ltd ...Petitioner
Versus
Automobile Sterling & Ors ...Respondents

**WITH
COMM ARBITRATION PETITION (L) NO. 1322 OF 2019
WITH
INTERIM APPLICATION NO. 1 OF 2019**

Tata Capital Financial Services Ltd ...Petitioner
Versus
Sterling Motor Company & Ors ...Respondents

Dr Birendra Saraf, *with Ms Sanaya Dadachanji, Aniket Worlikar i/b Manilal Kher Ambalal & Co., for the Petitioner in both Petitions.*
Mr Madhur Rai, *i/b Jyoti S Ghorpade, for the Respondents in both Petitions.*

CORAM: G.S. PATEL, J.
DATED: 13th January 2020

PC:-

1. I made an order of disclosure against Respondents on 14th November 2019. On 13th December 2019 I permitted those Affidavits to be filed in the Registry. The Respondents have filed Interim Applications in both these Petitions. These are not on board. By consent taken on board.

2. The Interim Applications seek that the disclosures be kept in a sealed cover. The apprehension expressed by Mr Madhur Rai for the Applicants/Respondents is that the disclosures “may be misused”. There is no basis whatsoever for this. I am not inclined in this case, and even otherwise generally, to allow documents tendered to Court to be kept in a sealed cover. As a general rule, anything that the Court can see, the party’s opponent must be able also to see.

3. Both Interim Applications are dismissed.

4. Copies of the Affidavits of disclosure are to be given to the Advocates for the Petitioner in the course of tomorrow. The Affidavits of disclosure are to be filed in the normal fashion in Court, not in a sealed cover.

5. List the Commercial Petitions on 20th January 2020.

(G. S. PATEL, J)