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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
IN ITS COMMERCIAL DIVISION
COMM CHAMBER SUMMONS NO. 1464 OF 2018**

IN

COMMERCIAL SUIT NO. 1 OF 2008

Dighant H Upadhyay	...Applicant
<i>In the matter between</i>	
Anand J Dave	...Plaintiff
<i>Versus</i>	
SR Oil Industries & Anr	...Defendants

Mr Pratap Sampat, i/b Vilas Jadhav, for the Plaintiff.
Mr Ashutosh Shukla, for the Applicant.

CORAM: G.S. PATEL, J
DATED: 1st April 2019

PC:-

1. After some arguments, Mr Shukla, the learned Advocate for the Applicant seeks leave to withdraw the Chamber Summons with liberty to the Defendants to adduce appropriate evidence regarding the signature/initials of the father of PW1 on certain transactional documents, including the document a copy of which is Exhibit "1" to the Written Statement as also the agreement for sale dated 5th October 2002 referred to in paragraph 6 of the Affidavit in Support of the present Chamber Summons.

2. Leave granted with liberty as prayed. It is also open to the Defendants to bring forward expert forensic evidence or testimony, if they so desire. All contentions of the Plaintiffs are expressly kept open.

3. I note that in cross-examination of PW1 has said that he cannot identify the initials that were shown to him from Exhibit “1” to the Written Statement as being those of his late father. This is noted.

4. The Chamber Summons is disposed of in these terms.

(G. S. PATEL, J)