

K.S. Jadhav

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

INTERIM APPLICATION NO. 1213 OF 2021

IN

SUIT NO. 53 OF 2021

Gurmeet Singh Chandhok & Anr. ...Applicants/Plaintiffs

Versus

Standard Chartered Bank ...Defendant

Mr. Chirag Balsara a/w Mr. Prathmesh Seth i/b Mr. Joseph Fernandes,
Advocates for Applicants/Plaintiffs.

CORAM : R.I. CHAGLA J.

DATE : 12TH APRIL, 2023.

ORDER :

1. The Defendant had been served with the Interim Application and an Affidavit of Service has been filed to that effect. However, despite service, none appears for the Defendants.

2. By this Interim Application, the Applicant has sought directions against the Defendant to provide inspection of documents as per Exhibit-2 to the Plaint. The Applicant has annexed a letter dated 13th January, 2020 wherein inspection of documents have been

sought. This letter has been addressed to the Branch Manager of Standard Chartered Bank. There is a follow up letter dated 11th February, 2020, wherein inspection was sought to be taken on 5th February, 2020 but was postponed and could not go through. The bank has been called upon to comply with the requisitions.

3. Mr. Chirag Balsara, learned senior Counsel appearing for the Applicants/Plaintiffs has relied upon the letter dated 18th February, 2020 annexed at Exhibit-BB to the Plaint which has been addressed by the Advocates for the Defendants and which makes reference to the said letter dated 13th January, 2020 addressed by the Applicant/Plaintiff. However, the said letter fails to give any response to the request for inspection of the Applicant/Plaintiff. The Defendants have only made their formal demand of Rs.6,50,00,000/- as Interest free Security Deposit payable to the Defendant upon the Defendant having offered vacant and peaceful possession of the subject premises over to the Applicant/Plaintiff on 28th February, 2020.

4. Having considered the averments in the Interim Application as well as taking note of the Applicant/Plaintiff's letter dated 13th January, 2020 and failure to comply with the same as well as the

non-response by the Defendants to the request for inspection which is borne out from their Advocate's letter dated 18th February, 2020, the relief sought for in the Interim Application is being granted. Hence, the following order is passed :

- (i) The Defendants are directed to provide inspection of original documents as per Exhibit-Z to the Plaint. The inspection of the original documents shall be provided by the Defendants within a period of two weeks from the date of this order.
- (ii) The Advocate for the Applicant/Plaintiff shall communicate this order to the Defendants and file Affidavit of Service on or before the next date.
- (iii) Interim Application is accordingly disposed of.

[R.I. CHAGLA J.]