

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY AND ORIGINAL CIVIL JURISDICTION
IN ITS COMMERCIAL DIVISION

INTERIM APPLICATION NO. 7686 OF 2025
IN
COMMERCIAL SUMMARY SUIT NO. 36 OF 2011

MR.ISHWARBHAI B. PATEL)...APPLICANT
IN THE MATTER BETWEEN
SBI FACTORS LTD.)...PLAINTIFF

V/s.

M/S.BANYAN AND BERRY ALLOYS LTD. AND ORS.)...DEFENDANTS

Mr.Dhaval Patil i/by M/s.K. Ashar & Co., Advocate for the Plaintiff.

Mr.Yogesh Yagnik, Advocate for the Defendant no.3 and for the
Applicant in IA/7686/2025.

CORAM : ABHAY AHUJA, J.

DATE : 17th DECEMBER 2025

PC. :

1. While the trial is underway and the Defendant no.3 was permitted to file evidence on 8th October 2025, however, this Interim Application has been filed seeking the following prayers :

(a) This Hon'ble Court may be pleased to permit to or allow the Defendant no.3 to take out the certified and/or authenticated copy of documents at page no.1 to 3, 5 to 25, 35, 60 to 75 and page no.76 from the original Compilation of documents tendered by the Plaintiff in this Hon'ble Court so as to prove and disprove the forged, fabricated and

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genuine signatures of the Defendant no.3, on any such terms and conditions as may be deemed fit and proper by this Hon'ble Court.

(b) In the alternative, this Hon'ble Court may be send said documents for examination of Hand Writing Expert for their opinion, on any such terms and conditions as may be deemed fit and proper by this Hon'ble Court.

2. Mr.Patil, learned Counsel, appears for the Plaintiff and submits that this is only a delaying tactic on behalf of the Defendant no.3, however, time be granted to file reply.

3. Let reply be filed within a period of two weeks with a copy to the other side. Rejoinder, in two weeks thereafter, with a copy to the other side.

4. List on **22nd January 2026**.

(ABHAY AHUJA, J.)