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

**SUIT NO. 1948 OF 1983**

Sociedade De Fomento Industrial Pvt. Ltd. ...Plaintiff

Vs.

Tulsidas V. Patel Pvt. Ltd. & Ors. ...Defendants

Mr. E.H. Kotwal i/b. Little & Co., for the Plaintiff's Mr. Gaurav Joshi a/w.  
Mr. S.V. Doijode a/w. Ms. Priyanka C. Kothari a/w. Ms. Falguni Thakkar  
i/b. Doijode & Assoc., for Defendants 1 & 7

**CORAM : SMT. ROSHAN DALVI, J.**

**DATED : 9<sup>TH</sup> AUGUST, 2011**

**P.C. :**

1. The letter dated 18<sup>th</sup> May 1974 of the Director of Defendant No.1 is admitted to have been sent to the Plaintiff. The letter shows annexures as mentioned in the letter. The annexures are four receipts all dated 7<sup>th</sup> May 1974 for part payments. The letter has been already marked as exhibit upon it being an admitted document. The receipts which are the annexures are sought to be shown separately. The Plaintiff has filed further affidavit of further examination-in-chief to show the primary evidence relating to those receipts. The evidence of the Plaintiff shows that those receipts were received by the Plaintiff along with the letter dated 18<sup>th</sup> May 1974. Those receipts were kept separately with the Plaintiff to form a record of the Plaintiff company. The receipts have been located by the Plaintiff from its records. The affidavit of the Plaintiff further

shows that the receipts were forwarded by the first Defendant duly signed by its Director along with the aforesaid letter. Consequently, four receipts received by the Plaintiff along with the letter dated 18<sup>th</sup> May 1974 dated 7<sup>th</sup> April 1974 are marked **Exhibits C-1 to C-4**.

2. S.O to 17<sup>th</sup> August 2011.

**(SMT. ROSHAN DALVI, J.)**