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

**SUIT NO. 261 OF 2011**

Jugraj Ranka & Ors. ...Plaintiffs  
Vs.  
Mulchand Ranka & Ors. ...Defendants

Mr. Punit Damodar i/b. Kanga & Co., for Plaintiff  
Mr. Sanjay Jain a/w. Mr. Anand A. Pandey for Defendant No. 34  
Mr. Bharat Zaveri for Defendant Nos. 35, 36, 38, 42 & 43.

**CORAM : MRS. ROSHAN DALVI, J.  
DATED : 3<sup>RD</sup> MARCH, 2014**

**P.C. :**

1. A preliminary issue has been framed to see the bar under the Benami Transactions (Prohibition) Act, 1988. It is for the plaintiff to lead oral evidence or to rely upon any documentary evidence and the provisions of law in respect of the issue.
2. After the issue was framed on 11<sup>th</sup> February, 2014 the suit had been stood over to 25<sup>th</sup> February, 2014 on which date it was stood over to 26<sup>th</sup> February, 2014 for hearing. Thereafter it had been stood over to today. The plaintiff is neither prepared to be heard nor does he tender any oral evidence. Hence the preliminary issue that is framed cannot be decided.
3. The suit is adjourned to 18<sup>th</sup> March, 2014 for dismissal unless

the plaintiff either tenders evidence upon disputed facts or argues upon the law in that behalf upon the admitted facts.

**(ROSHAN DALVI, J.)**