

Atul

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**  
**ORDINARY ORIGINAL CIVIL JURISDICTION**  
**SUIT NO. 2256 OF 1998**

Harinarayan G Bajaj & Anr ...Plaintiffs  
*Versus*  
Vijay Agarwal & Ors ...Defendants

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**Ms Sonal**, *with Vivek Sharma, i/b Vivek Sharma, for the Plaintiffs.*  
**Mr Girish B Kedia**, *for the Defendants.*

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**CORAM: G.S. PATEL, J**  
**DATED: 2nd May 2018**

**PC:-**

1. Mr Rahul Bajaj, PW2 is present in Court. He affirms the correctness of his Affidavit of Evidence dated 9th April 2018. He has filed an Affidavit of Documents of the same date. There is a compilation of 26 documents.
  
2. Mr Kedia on behalf of Defendants Nos. 1 to 4 and 5 objects to the documents at serial Nos. 3, 4, 5, 8, 9, 12, 14, 16, 18 and 21 being marked saying that they are not signed. There is substance to this. These documents are, therefore, marked for identification as **“X7”** to **“X16”**.
  
3. The document at Serial No. 24 is a letter purportedly dated 1st June 1999 from the Bombay Stock Exchange. The discrepancy

that is apparent in that letter is not explained. It references a purportedly earlier communication but gives the date of a month later, 1st July 1999. I will not accept such a discrepant document and will require it to be proved through a properly summoned officer of the Bombay Stock Exchange who can produce the office copy from proper custody. That document is marked for identification “X17”.

4. The remaining documents are accepted in evidence and marked Exhibit “P16” to Exhibit “P30”, respectively, in evidence.

5. List the matter for directions on 13th June 2018.

**(G. S. PATEL, J)**