

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

SUIT NO.716 OF 2008

Fatehali Hassanali Karim & Ors.Plaintiffs

V/s.

Gulamhussein Abdulaziz Karim & Ors.Defendants

Mr. Nassir Rizvi i/b. Thakore Jariwala & Associates for the plaintiffs.
Mr. Mehervan Rustom Irani for the defendant nos.1 to 4.
Mr. Nimay Dave i/b. M/s. M.K. Ambalal & Co. for the defendant nos.5 to 7.

**CORAM : K.R.SHRIRAM,J
DATE : 17th JUNE, 2016**

P.C.:-

1 At the outset, Mr. Dave, counsel for the defendant nos.5 to 7 states that he does not wish to put any question in re-examination to DW-3. Therefore, the evidence of DW-3 is closed.

2 Today the second witness of the defendant nos.5 to 7 – Mr. Nuruddin Badruddin Karim (DW-4), who is also defendant no.6, is present in court and is administered oath. On oath DW-4 confirms having affirmed an affidavit dated 5th April, 2016 in lieu of examination in chief and also identifies his signature. The same is taken on record and marked **Exhibit D6/1**. Alongwith Exhibit D6/1, the plaintiffs have also filed a compilation of 16 documents.

3 The serial numbers given below relate to the index to the compilation of documents :-

Serial Nos.1 to 6 – Y-1 to Y-6, respectively for identification

Serial No.7 – **Exhibit D6/2**

Serial No.8 – **Exhibit D6/3**

Serial No.9 – **Exhibit D6/4**

Serial No.10 – **Exhibit D6/5**

Serial No.11 – **Exhibit D6/6**

Serial Nos.12 to 16 – Y-7 to Y-11, respectively for identification

4 Mr. Dave, counsel for the defendant nos.5 to 7 seeks leave to file further affidavit to prove the documents which are marked as Y-1 to Y-11, respectively for identification. Leave granted. The said affidavit to be filed and copy served within two weeks from today.

5 Stand over to 14th July, 2016.

(K.R.SHRIRAM,J)