

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

SUIT NO. 1071 OF 2006

PANKAJ ALUMINIUM INDUSTRIES LTD.)...PLAINTIFF

V/s.

BHARAT ALUMINIUM CO. LTD.)...DEFENDANT

Mr.Ganesh Murthy i/by K.V.Aiyan & Associates, Advocate for the
Plaintiff.

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

CORAM : ABHAY AHUJA, J.

DATE : 30th MARCH 2026

PC. :

1. When the matter is called out, Mr.Ganesh Murthy, learned Counsel, appears for the Plaintiff and submits that the Plaintiff's witness is present in Court and that this Court may consider marking of Affidavit in lieu of examination-in-chief dated 12th January 2026 as well as the documents forming part of the Compilation of documents dated 12th January 2026.

2. Accordingly, Mr.Anish D. Shah, Plaintiff's witness is requested to step into the witness box and is administered oath by the learned Court Master.

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PW-1 :

Name : Mr.Anish D. Shah
Age : 49 years
Occupation : Business
Address : 303/A, Chandanbala, R.R.Thakkar Marg,
Ridge Road, Walkeshwar Road, Mumbai-400006.

Examination-in-chief of Mr.J. C.Bharwani, PW-1 on S.A:

(Witness is shown the Affidavit in lieu of examination-in-chief dated 12th January 2026 filed under Order XVIII Rule 4(1) of the Code of Civil Procedure, 1908 and the Compilation of documents dated 12th January 2026.)

This is my Affidavit. I have affirmed and verified this Affidavit by signing at the foot of this Affidavit. I identify my signature on this Affidavit. The contents of this Affidavit are true and correct to my knowledge and belief.

I am producing original Compilation of documents comprising of 18 documents. I have deposed to the said documents in my Affidavit in lieu of examination-in-chief.

The witness has deposed to the truth and contents of the said Affidavit and the Compilation of documents.

There are no questions in oral examination-in-chief.

The Affidavit in lieu of examination-in-chief dated 12th January 2026 is taken on record and marked as **Exhibit PW-1/1**.

3. Mr.Patil, learned Counsel appearing for the Defendant seeks some time to file Statement of admission and denial.

4. As regards the documents in the Compilation of documents, list for further marking of Plaintiff's documents on **6th May 2026**.
5. The Plaintiff's witness is discharged for the day.
6. Let the Plaintiff's witness remain present in Court on the next date.
7. Let a chart indicating the exhibit numbers of the documents to be marked be furnished by the next date.

(ABHAY AHUJA, J.)