



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

SUIT NO. 1854 OF 2004

Vegetable Processors (India) Pvt. Ltd. & Ors. .. Plaintiffs
Vs.
Global Green International N.V. .. Defendant

Ms.Priyanka Patel i/b S. Priya for plaintiffs.

Mr.Mutakkar Khan i/b Mulla & Mulla & C.B.C. for defendant.

**CORAM : K.R.SHRIRAM, J.
DATED : 13TH AUGUST, 2014**

P.C.

- 1 The following issues arise in the matter :
1. Whether the claim in the suit is filed within limitation?
 2. Whether the suit is bad for mis-joinder of parties and if so what are the consequences thereof?
 3. Whether the plaintiffs prove that the assignment of the rights and interest of plaintiff no.1 to plaintiff no.2 is valid and enforceable?
 4. Whether the plaintiffs prove that the rejection of the alleged quality tested and approved products at the delivery port by the defendant was wrongful?
 5. Whether the defendant proves that the plaintiffs supplied goods of substandard quality?
 6. Whether the defendant proves that the plaintiffs were in breach of the obligation of the Joint Venture Agreement?



7. Whether the plaintiffs prove that they are entitled to commission of 5% on the total value of products purchased by the defendant from other suppliers in India for the period 1st April 1998 to 1st April 2001 under the Joint Venture Agreement?
8. Whether the plaintiffs prove that the defendant is in breach of Joint Venture Agreement?
9. Whether the plaintiffs are entitled to a decree in the sum of Rs.22,88,10,530/-together with interest thereon at the rate of 12% per annum on the principal sum of Rs.16,82,43,037/- and for what period ?
10. What decree? What order ?

2 The plaintiff to file their list of witnesses and affidavit in lieu of examination in chief of their first witness and also compilation of documents and serve a copy thereof upon the defendants on or before 15.09.2014.

3 Stand over to 26.09.2014 to decide on the admissibility of documents/markings of documents on which date the plaintiffs to keep their first witness present in Court.

(K.R. SHRIRAM, J.)