

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

SUIT NO.1718 OF 2012

Maria P. Sequeira and Ors. ... Plaintiffs
versus
Feroze H. Dugan and Anr. ... Defendants

Mr. R.S.Tripathi i/by Mr. N.Y.Chavan, for Plaintiffs.
Mr. Shailesh Shah, Senior Advocate with Mr. Prakash Ganwani, Mr. J.S.Solomon, Ms. Soniya Putta, Mr. Shanay Shah i/by M/s. Solomon and Co., for Defendant No.1.
Mr. Kiran Jain i/by M/s. Kiran Jain and Co., for Defendant No.2.
Mr. M.M.Shaikh, Joint District Registrar, Mumbai, present.
Mr. B.K.Khandekar, Manager (Additional Charge) Photo Registry Office, Pune, present.

CORAM: S.J. KATHAWALLA, J.

DATE: 2nd DECEMBER, 2015

P.C.:

1. Mr. Khandekar, Manager, Photo Registry, Pune is present in Court. He has produced a register maintained by his Office, wherein the record of certified copies of the agreements issued during the period 2009-2011 is maintained. He has informed the Court that in the said register, there is no entry showing that a true copy of the Agreement dated 01-08-1949 (Exh.P-19) is issued by his Office on 07-06-2011.
2. Mr. Khandekar has also informed the Court that the negatives of the documents mentioned on the page titled/captioned "List No.125" are not available in his office. He seeks time upto 7th December, 2015 to locate the negatives pertaining to the properties set out under List No.125 and produce the same before the Court. He

states that his Office is not retaining positive copies of the documents. He has also produced Register wherein entries pertaining to the negatives are recorded/set out. As far as the entry pertaining to the suit properties shown therein, there appears to be some overwriting. Both the registers are retained by the Court and the parties are allowed to take inspection of the same and also obtain copies of the relevant page/s of the Register.

3. Mr. Shaikh, Joint District Registrar, Mumbai, is also present in Court. He has produced the Inward Register maintained by his Office from 20th April, 2010. He has pointed out an entry bearing No.1152 dated 14-06-2011 and has submitted that his office has received a copy of the document No.Bom/3573/49 from the Pune Photo Registry/Office. The said register is taken on record and the parties are allowed to take inspection of the same and to obtain copies of the relevant page/s of the Register. Stand over to 7th December, 2015.

(S.J.KATHAWALLA, J.)