

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

SUIT NO. 412 OF 2015

MANEKLAL MANSUKHBHAI PVT. LTD.)
AND OTHERS)...PLAINTIFFS

V/s.

AJAY HARINATH SINGH AND OTHERS)...DEFENDANTS
WITH

INTERIM APPLICATION NO.4654 OF 2025
IN
SUIT NO. 412 OF 2015

Mr.Shanay Shah a/w. Mr.Hamza Lakhani, Mr.Danish Qureshi i/by
Mahimtura & Company, Advocate for the Plaintiffs.

Ms.Sachi Sanghani i/by Mr.Randhir Kale, Advocate for the Defendants
no.1 to 3.

Ms.Astha Tahmankar a/w. Mr.Siddharth Wakode, Mr.Vishal Kolekar,
Mr.Sunil Karoth i/by Mr.Rajesh Singh, Advocate for the Defendant
no.14.

Mr.D.P.Singh a/w. Mr.Y.S.Bhate, Advocate for the Defendant no.15.

CORAM : ABHAY AHUJA, J.

DATE : 1st APRIL 2026

PC. :

1. When the matter is called out, Mr.Shanay Shah, learned Counsel,
appears for the Plaintiff and submits that Interim Application No.4654
of 2025 is wrongly on board as the same has already been disposed of.
Registry to remove the same.

2. In furtherance of order dated 24th March 2026, today Mr. Shanay Shah has continued his arguments and has tendered across the bar one, a statement of fabricated and forged documents and the other, a note on behalf of the Plaintiffs with reference to the forged and fabricated documents along with submissions.

3. After hearing Mr. Shah, learned Counsel for the Plaintiffs, it emerges that as regards the following document, there cannot be any doubt that the same has been fabricated, in as much as, it have been filed after the demise of Mr. Rajendrakumar Maneklal Sheth who died on 9th April 2010, and the following document is post 2010 having been filed / uploaded in the year 2014.

Sr. No.	Description of document	Exhibit No.
1.	Form DLR-12 filed in December 2014 purporting to show Rajendrakumar Sheth has resigned as director of the Company in 2007.	P/51

4. However, as regards certain other documents, there is an allegation on behalf of the Plaintiffs that the signatures have been forged. As and by way of illustration, Mr. Shah has drawn this Court's

attention to a photocopy of declaration dated 8th May 1978 at Exhibit P-28 on page 86 of the Compilation of documents tendered before this Court, submitting that the said Exhibit contains the correct signature of Mr.Rajendrakumar Maneklal Sheth and submits that comparing the said signature with the signature in Exhibit P-47 at page 589 of the Compilation of documents by simple ocular examination indicates that the said signature of Mr.Rajendrakumar Maneklal Sheth at Exhibit P-47 is forged. As and by way of second illustration, Mr.Shah submits that a comparison of Exhibit P-67 which is a purported fabricated share certificate, the signature of Mr.Sanjay alias Sanjesh. Rajendrakumar Sheth does not match with his signature on the Affidavit of evidence in lieu of examination-in-chief dated 12th August 2025 at pages 50 and 51. Mr.Shah has also submitted that the signature of Mr.Rajesh Sheth has also been forged in the documents and as any by way of illustration refers to the original share certificate marked as Exhibit P-72 at page 795 and compares it with the signature in the certified copy of the passport at Exhibit P-84 at page 840 and submits that clearly the signature of Mr.Rajesh Sheth has been forged in the original share certificate marked as Exhibit P-72. Mr.Shah has also drawn this Court's attention to the decision of the Hon'ble Supreme

Court in the case of *Ajay Kumar Parmar vs. State of Rajasthan*¹ in support. Having perused the said decision and in particular paragraph 28 thereof, this Court is of the view that although on a ocular examination the two signatures of Mr.Rajendrakumar Maneklal Sheth, Mr.Sanjay Sheth and Mr.Rajesh Sheth appear to be different, however, before forming a conclusive opinion, this Court not being a handwriting expert, it would be prudent to appoint a handwriting expert to render his opinion in respect of the signatures of Mr.Rajendrakumar Maneklal Sheth, Mr.Sanjay Sheth and Mr.Rajesh Sheth on the following documents :

Documents containing signatures of Rajendrakumar Seth

Sr.No.	Description of documents	Exhibit No.
1.	Application dated 5 May 2014 for registration of authorized signatory.	P/47
2.	Affidavit purportedly affirmed on 5 December 2014 of late Rajendrakumar Sheth.	P/48
3.	Letter dated 30 March 2007 allegedly prepared and signed by Late Mr. Rajendrakumar Maneklal Sheth.	P/53
4.	Transfer form dated 30 May 1995 allegedly signed by Rajendrakumar Maneklal Sheth.	P/83
5.	Transfer form dated 30 May 1995 allegedly signed by Rajendrakumar Maneklal Sheth.	P/80

¹ (2012) 12 Supreme Court Cases 406

**Documents containing signature
of Sanjay Seth and Rajendrakumar Sheth**

Sr. No.	Description of documents	Exhibit No.
1.	Share Certificate bearing No. 6 dated 4 January 1985 in the name of Sabodh Rajendrakumar Sheth.	P/67
2.	Certificate bearing No.5 dated 4 January 1985 in the name of "Sabodh" Rajendrakumar Sheth.	P/68
3.	Share Certificate bearing No.10 dated 24 September 2012 in the name of Defendant No. 4 (Kamlakar Laxman Patil).	P/69
4.	Share Certificate bearing No.11 dated 4 September 2012 in the name of Defendant No.4 (Kamlakar Laxman Patil).	P/70
5.	Share Certificate bearing No.4 dated 4 January 1985 in the name of Rajendrakumar Sheth.	P/71
6.	Share Certificate bearing No.9 which is undated in the name of "Remo" Rajendrakumar Sheth.	P/72
7.	Share Certificate bearing No.8 dated 4 January 1985 in the name of Remo Rajendrakumar Sheth.	P/73
8.	Share Certificate bearing No. 7 dated 4 January 1985 in the name of Plaintiff No.3	P/74
9.	Share Certificate bearing No. 3 dated 4 January 1985 in the name of Rajendrakumar Maneklal Sheth.	P/75
10.	Transfer form dated 30 May 1995 allegedly signed by Sanjesh Rajendrakumar Sheth.	P/76

11.	Transfer form dated 30 May 1995 allegedly signed by Sabodh Rajendrakumar Sheth.	P/77
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Documents containing signatures of Rajesh Sheth

Sr.No.	Description of documents	Exhibit No.
12.	Transfer form dated 30 May 1995 allegedly signed by Remo Rajendrakumar Sheth.	P/81

5. The learned Counsel for the Plaintiffs has suggested the names of two handwriting experts viz. Helik Advisory Limited and Ms.Nisha Menon and the learned Counsel appearing today for the Defendants no.1 to 3, 14 and 15 have no objection if either of the said experts is appointed to give opinion.

6. This Court appoints Helik Advisory Limited to act as the handwriting expert to examine the purported signatures of Mr.Rajendrakumar Maneklal Sheth, Mr.Sanjay Sheth an Mr.Rajesh Sheth in the aforesaid documents and place a report before this Court as to the genuineness and veracity of the same within a period of four weeks. The costs charges and expenses of the handwriting expert to be borne and paid for by the Plaintiffs. The contact details of Helik Advisory Limited are as under :

Helik Advisory Limited

1st Floor, Maratha Mandir Marg,
Next to Maratha Mandir Theatre, Above ICICI Bank,
Babasaheb Gawde Chowk,
Mumbai Central, Mumbai – 400008.

Email : digital-cyber@helik.in

Mobile : 9820320101

7. List on 17th June 2026.

(ABHAY AHUJA, J.)