



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

SUIT NO.3813 OF 2000

ATCOM TECHNOLOGIES LIMITED )...PLAINTIFF

V/s.

Y. A. CHUNAWALA & CO. & ORS. )...DEFENDANTS

WITH  
CHAMBER SUMMONS (L) NO.807 OF 2019  
IN  
SUIT NO.3813 OF 2000  
WITH  
INTERIM APPLICATION (L) NO.25459 OF 2023  
IN  
SUIT NO.3813 OF 2000  
WITH  
CONTEMPT PETITION NO.57 OF 2011  
IN  
SUIT NO.3813 OF 2000  
WITH  
COURT RECEIVER REPORT NO.260 OF 2021  
IN  
SUIT NO.3813 OF 2000  
WITH  
INTERIM APPLICATION (L) NO.26255 OF 2022  
IN  
SUIT NO.3813 OF 2000  
WITH  
CHAMBER SUMMONS (L) NO.807 OF 2019  
IN  
SUIT NO.3813 OF 2000  
WITH  
SUIT NO.305 OF 2001

Mr.Aseem Naphade a/w. Ms.Kausar Banatwala, Ms.Neuty N.Thakkar,  
Ms.Paluck Bengali i/by Tushar Goradia, Advocate for the Plaintiff in  
COMSS/7/1999, Suit No.3813/2000 and for the Defendant in Suit  
No.305/2001.

Mr.Jayesh Mestry, Advocate for the Plaintiff in Suit No.305/2001 and for the Defendant in COMSS/7/1999 and Suit No.3813/2000.

Mr.Yohaan Shah i/by Negandhi Shah & Himayatullah, Advocate for the Defendants no.1, 3, 4 in Suit no.3813/2000.

Mr.Kishor S. Prindavankar, ASO, Court Receiver, High Court in Suit No.3813/2000 is present in Court.

Mr.Vikram A. Doshi, Managing Director of the Plaintiff in Suit No.3813/2000 is present in Court.

**CORAM : ABHAY AHUJA, J.**

**DATE : 10<sup>th</sup> OCTOBER 2023**

**PC. :**

1. Today, this suit has been listed for admission and denial of documents as well as for marking of documents.

2. Mr.Jayesh Mestry for the Defendants appears and tenders across the bar statement dated 20<sup>th</sup> June 2023 of admission and denial by the Defendants of the documents relied upon by the Plaintiff. The same is taken on record.

3. Mr.Naphade, learned Counsel for the Plaintiff, submits that the Defendants have not filed written statement in the matter as statedly they will be proceeding on the basis of averments and the evidence filed by them as Plaintiffs in Suit No.305 of 2001.

4. Mr.Vikram A. Doshi, Managing Director of Plaintiff, being PW-1, is present in Court and has been administered oath by the Associate.

Accordingly, the following documents are marked :

SR.No.	Exhibit
4	P-1
5	P-2
7	P-3
9	P-4
11	P-5
12	P-6
13	P-7
14	P-8
15	P-9
16	P-10
17	P-11
18	P-12
19	P-13
20	P-14
21	P-15
22	P-16
23	P-17
24	P-18
25	P-19
26	P-20
27	P-21
28	P-22
29	P-23
30	P-24

44	P-25
45	P-26
71	P-27
72	P-28
73	P-29
74	P-30
75	P-31
76	P-32
77	P-33
78	P-34
79	P-35
80	P-36
81	P-37
82	P-38
83	P-39
84	P-40
85	P-41
86	P-42
87	P-43
88	P-44
89	P-45
90	P-46
91	P-47
92	P-48
93	P-49
94	P-50
95	P-51
96	P-52
97	P-53
98	P-54

5. With respect to the documents marked as Exhibits P-1, P-2, P-5, P-6, P-7, P-8, P-9, P-10, P-11, P-12, P-13, P-14, P-15, P-16, P-17, P-18, P-19, P-20, P-21, P-22, P-23, P-24, P-25, P-26, P-27, P-28, P-29, P-30, P-31, P-32, P-33, P-34, P-35, P-36, P-37, P-38, P-39, P-40, P-41, P-42, P-43, P-44, P-45, P-46, P-47, P-48, P-49, P-50, P-51, P-52, P-53 and P-54, the Defendants have admitted the existence of the documents but subject to the proof of the truth of the contents of the documents.

6. List for consideration of the documents denied by the Defendants on **18<sup>th</sup> October 2023 at 3.30 p.m.**

**(ABHAY AHUJA, J.)**