

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

SUIT NO.2335 OF 2012

Darryl D'Monte and Ors. ... Plaintiffs
versus
Saint Peter's Church and Ors. ... Defendants

**WITH
NOTICE OF MOTION NO.2250 OF 2012**

Mr. Vishal Kanade with Mr. Mukul Taly, Ms. Mallika Taly i/by M/s. S. Mohamedbhai and Co., for Plaintiffs.

Mr. D'Manto i/by Mr. P.M.Havnur, for Defendant No.3.

Mr. Cyrus Ardeshir with ms. Swapnila Rane i/by Ms. Vanita Kakkar, for Defendant No.7.

Mr. S.P.Pimple, Asstt. Charity Commissioner, present.

CORAM: S.J. KATHAWALLA, J.

**DATE: 8th NOVEMBER, 2016
(In chambers)**

P.C.:

1. Pursuant to the order passed by this Court in the morning session, Mr. Pimple, Assistant Charity Commissioner, is present in Court along with the papers available in his office. The learned Advocates for the parties have taken inspection of the said documents. The learned Advocate for Defendant No.7 states that she shall file Affidavit of Evidence along with Affidavit of Documents and Compilation of documents on 9th November, 2016 by 3.00 p.m. The statement is accepted.

2. Though running page numbers are given to the documents in the File No.J-4/96/90/36(1) B, it appears that some of the pages are missing. To give an

illustration, after page 215, the next page in the file is numbered 219. Again only Annexure A is found annexed to the Plaint and rest of the annexures are missing. The Assistant Charity Commissioner undertakes to produce the papers as and when called upon by this Court. The undertaking is accepted. Stand over to 9th November, 2016.

(S.J.KATHAWALLA, J.)