

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
SUIT NO. 634 OF 2005**

M/s. The Prag Bosimi Synthetic Limited	...Plaintiff
Versus	
The New India Assurance Co. Ltd.	...Defendant

Mr. Ajay Panicker, a/w Amit Kakri, i/b Ajay Law Associates,
for the Plaintiff.

Ms. Sneha Pandey, a/w Arundhati Korale, i/b Motiwala & Co.,
for the Defendants.

CORAM: N. J. JAMADAR, J.

DATED : 12th FEBRUARY, 2020

PC:-

1. Heard the learned Counsels for the parties.
2. The defendants have tendered a compilation of 54 documents. By an order dated 28th September, 2018, the documents at serial nos.19 and 30 were marked '**Exhibit-D-1/2**' and '**Exhibit-D-1/3**' respectively subject to proof of truth of its contents and cross-examination.
3. The learned Counsel for the plaintiff submits that the plaintiffs are disputing the existence of the documents at serial no.20, being a copy of the fax message dated 9th July, 1999, and serial no.23, being copy of another fax message dated 21st May, 1999. The plaintiffs do not dispute the existence of the rest of the documents and those documents may be marked subject to

proof of contents and correctness thereof and cross-examination.

4. The documents at serial nos.1 to 18, 22, 24 to 29 and 31 to 54 are therefore marked '**Exhibit D-1/4**' to '**Exhibit-D-1/21**', '**Exhibit-D-1/22**', '**Exhibit-D-1/23**' to '**Exhibit-D-1/28**' and '**Exhibit-D-1/29**' to '**Exhibit-D-1/52**', subject to proof of contents and correctness thereof and cross-examination.

5. The defendants shall keep its second witness present before the Court for recording further evidence and marking of rest of the documents.

6. Stand over to 11th March, 2020.

[N. J. JAMADAR, J.]