

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

SUIT NO.3 OF 2010

**Mumtaz, daughtr of Riyazuddin &
wife of Suleman Khan & Anr. : Plaintiffs.**

Versus
Jamaluddin Riayazuddin Sheikh & ors. : Defendants.

Mr. Omar Shaikh for the Plaintiffs.

**Ms. Prachi Khandage i/by M/s. M P Vashi & Associates for the Defendant
Nos.1 to 5.**

**CORAM : R. D. DHANUKA
DATE : 28th January 2019**

P.C.

1 The learned counsel appearing on behalf of the Defendant Nos. 1 to 5 states that the Defendant Nos.1 to 5 are disputing the existence and the contents of the letter dated 18/11/2001 relied upon by PW-2 in the affidavit in lieu of examination in chief dated 14/12/2018 on the ground that the document relied upon by PW-1 is a photo copy of the alleged original document dated 18/11/2001.

2 In view of the aforesaid objection raised by the Defendant Nos.1 to 5, the photo copy of the document cannot be marked as exhibit. The PW 2 is required to prove the said document. The photo copy of the document is marked as "X" for identification.

3 The learned counsel appearing for the Plaintiffs states that his client may examine the concerned officer of the Bank of India to prove the existence of the said documents. Statement is accepted.

4 It is made clear that time to record the evidence and to submit a report in so far as PW-1 is concerned is also extended till 08/02/2019. The parties are directed to co-operate with each other and the Court Commissioner to record the evidence of these witnesses and to submit the report within the extended period.

[R. D. DHANUKA, J]