

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

**COMMERCIAL SUMMARY SUIT NO. 113 OF 2019**

**Saffron Developers Pvt. Ltd. ... Plaintiff**

**V/s.**

**Premchand Resorts and Apartments Pvt. Ltd.  
and others ... Defendants**

**WITH**

**NOTICE OF MOTION NO. 2515 OF 2019**

Mr. Yazad Udwardia alongwith Mr. Sanjay Maji instructed by DM Legal Associates, Advocate for the Plaintiff.

Mr. Vikramjeet Garewal alongwith Mr. Sriraj Menon, Mr. Shubham Hundia and Mr. Avesh Ganja instructed by Mr. Sriraj Menon, Advocate for the Defendants.

**CORAM : ABHAY AHUJA, J.  
DATE : 24 JULY, 2024**

**PC. :**

1. Today, this matter has been listed for marking of the Plaintiff's documents. Pursuant to the permission granted by this Court on 26<sup>th</sup> March 2024, today, the Plaintiff himself, who is in Dubai, is present through video-conferencing and is administered oath by the learned Associate.

2. The compilation of documents dated 5<sup>th</sup> July 2019 contains

17 documents. Mr. Garewal appears for the Defendants and submits that the documents at Serial Nos.6, 7, 8, 13 and 17 are completely admitted and the same can be marked as Exhibits. Accordingly, the said documents at Serial Nos.6, 7, 8, 13 and 17 are marked as Exhibits P-1, P-2, P-3, P-4 and P-5. With respect to the documents at Serial Nos.3, 4, 5 and 12, Mr. Garewal submits that the existence of the said documents is admitted, however, the contents are denied and that the said documents may be marked, subject to proof of truth of the contents. Accordingly, documents at Serial Nos.3, 4, 5 and 12 are marked as Exhibits P-6, P-7, P-8 and P-9, subject to proof of truth of the contents.

3. With respect to the document at Serial Nos.1, 2, 9, 10, 11, 14, 15 and 16, Mr. Garewal submits that the said documents are completely denied.

4. Mr. Garewal also submits that the document at Serial No. 2 which is a certified copy of the bank statement in respect whereof certificate under the Bankers' Book Evidence Act is though in place, but since the same is yet to be filed under an affidavit, the said two documents viz. certified copy of the bank statement as well as the certificate under the Bankers' Book Evidence Act can be marked on the next date.

5. Mr. Yazad Udwardia for the Plaintiff agrees with the submission.
6. Accordingly, documents at Serial Nos. 1, 9, 10, 11, 14, 15 and 16 are marked as Exhibits P-10, P-11, P-12, P-13, P-14, P-15 and P-16, subject to the proof of existence of the documents as well as the proof of truth of the contents of the said documents.
7. **List on 21<sup>st</sup> August 2024 at 4.15 p.m.** for marking of the document at Serial No.2 as well as related certificate under the Bankers' Book Evidence Act.

**(ABHAY AHUJA, J.)**