



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

**COMM SUMMARY SUIT NO. 56 OF 2013
WITH
CHAMBER SUMMONS NO. 669 OF 2018**

Laxmi Dia Jewel Pvt. Ltd. ...Plaintiff
Versus
Godrej Consumer Products Ltd. ...Defendant

Mr. Prashant P. Kulkarni, for the Plaintiff.
Ms. Shaheda Madraswala, a/w Ms. Shilpa Sengar, i/b Vashi
and Vashi, for the Defendant.

**CORAM: N. J. JAMADAR, J.
DATED : 3rd FEBRUARY, 2021**

PC:-

1. Heard the learned Counsel for the parties.
2. The learned Counsel for the defendant seeks time to take inspection of the Court record and file an additional statement of admission and denial, if required.

Chamber Summons No.669 of 2008

3. Not on board. Upon mentioning taken on board.
4. This chamber summons is moved to direct the Court of the Chief/Additional Metropolitan Magistrate Court, 27th Court, Esplanade, Mumbai, to produce all the original documents

submitted by the applicant in Criminal Case No.753/PW/2010 before this Court.

5. Mr. Kulkarni, the learned Counsel for the plaintiff, submits that those documents were not submitted by the plaintiff – applicant in the Court but they were produced by the applicant before the Investigating authorities, who, in turn, have produced those documents before the learned Magistrate. The plaintiff – applicant has also filed an application dated 22nd July, 2016 before the learned Magistrate seeking return of the documents. It does not appear that any order was passed on the said application.

6. In the backdrop of the aforesaid submission on behalf of the defendant, the plaintiff is required to consider its position after obtaining the documents which have been filed by the plaintiff – applicant before the learned Magistrate. Thus, this Chamber Summons cannot be entertained at this juncture in the present form.

7. The Chamber Summons stands disposed of with liberty to the applicant – plaintiff to renew the prayer after the defendant makes fresh statement of admission and denial, if any, in the context of the certified copies of the document which the plaintiff claims to have been placed on record, and taking

steps for obtaining the documents/copies of the documents from the Court of the learned Magistrate.

8. To facilitate the parties to arrive at a correct position, four weeks time is granted.

9. Suit be listed on 3rd March, 2021.

[N. J. JAMADAR, J.]