

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO. 1505 OF 2015

1. Aman Marketing Services Pvt. Ltd. & Anr.	.. Petitioners
Vs.	
1. Smt. Pushpa T. Jain & Ors.	.. Respondents

Mr.Rahul C. Mestry for petitioners.

Ms.Pranjali Bhandari for respondents.

CORAM : K.R.SHRIRAM, J.
DATE : 18TH FEBRUARY, 2015

P.C.

1 I find no infirmity in the order passed by the trial court. In paragraph 3, the trial Court has explained that the matter was listed on 8 occasions and on 6 occasions, the matter was adjourned at the request of the defendants' (petitioners' herein) counsel. The trial court has also observed that one of the ground mentioned in the application was that the documents are lying in another Court but name of that Court is not stated nor is there any mention about which the documents are. The trial court has also very correctly observed that the defendants have not even explained what steps they have taken to collect the documents from that Court. The trial court has also observed that another ground was of illness of the defendant and no mention as to who is ill because defendant no.1 is a company and defendant no.2 is a firm. The trial Court has further observed that the defendants are

deliberately prolonging the matter and even if the application is allowed, the evidence could not be filed by the defendants. Therefore, I find no infirmity in the order passed by the trial court.

2 The writ petition stands dismissed with costs in the sum of Rs.10,000/-.

(K.R. SHRIRAM, J.)