

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
NOTICE OF MOTION NO. 468 OF 2013

IN

SUIT NO. 776 OF 2000

State of Maharashtra ...Applicant

IN THE MATTER BETWEEN :

State of Maharashtra & Ors. ...Applicants / Plaintiffs

Versus

M/s. Unique Marketing Co.& Ors. ...Defendant

Ms. G.R. Shastri, AGP for the Applicant.

None for the Defendants.

CORAM : S.J. KATHAWALLA, J.
DATED : 13TH OCTOBER, 2015

P.C.

1. Perused the above Notice of Motion and the Affidavit in support thereto. Though the Notice of Motion is served on the Defendants by substituted service i.e. through publication in local newspapers, none appear for the Defendants. In view thereof, for the reasons set out in the Affidavit in support of the Notice of Motion, the Notice of Motion is allowed in terms of prayer clauses (a) and (b), which are reproduced

hereunder :

“(a) That the delay of 90 days in filing the Notice of Motion be condoned.916-NMS-468-2013

(b)That the order dated 7th September, 2012 be set aside and the Suit be restore on board”.

2. The record and proceedings shall now be sent to the Registry, City Civil Court, Mumbai
3. A copy of this order shall be served on the Defendants by Registered Post AD by the Advocate for the Applicant.
4. The Notice of Motion is accordingly disposed of.

(S.J.KATHAWALLA,J.)