

Shephali

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
SUIT NO. 833 OF 1992**

Habib Rasool	...Plaintiff
<i>Versus</i>	
Mrs. Bismillah Razak Rasool & Ors.	...Defendants

**Ms. Trupti Talathi, i/b M/s. Subhash Pradhan & Co., for the
Plaintiff.**
Mrs. Bhavna Anklesaria, for the Defendants Nos. 3 to 6.

**CORAM: G.S. PATEL, J
DATED: 6th January 2015**

PC:-

1. By an order dated 3rd November 2014, the Plaintiff was required to file and serve on or before 24th November 2014 their Affidavit of Documents properly indexed and paginated. An Affidavit in lieu of examination-in-chief had already been filed. The Plaintiff has not complied with these directions. There is no Affidavit of Documents. There is no compilation of documents either. The learned Advocate for the Defendants Nos. 3 to 6 is justified in saying that there is no cause shown for this non-compliance.

2. Learned Advocate for the Plaintiff states that despite repeated attempts since 3rd November 2014 to contact the Plaintiff to ensure compliance with this order, the Plaintiff has not responded. In a suit of 1992, this cannot be allowed to continue. Advocate for the Plaintiffs, M/s. Subhash Pradhan & Co. are discharged as an Advocates for the Plaintiff.

3. Name of the Plaintiff is called out. None appears. The Suit is dismissed with no order as to costs.

(G. S. PATEL, J.)