

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION (L) NO.269 OF 2015

IN

SUIT NO.470 OF 2013

...

Bharat Kantilal Dalal

...Applicant
(orig.Defendant No.1)

In the matter between

Girdharilal Nathubhai Dalal

...Plaintiff

v/s.

Bharat Kantilal Dalal & ors.

...Defendants

...

Mr.Yashpal Jain with Khalid Khimaji i/b Yashpal Jain for the Plaintiff.

Mr.Pranav Sampat with Shuchita Thapar i/b Khaitan & Co. for the Applicant/
Defendant No.1.

CORAM : A.A. SAYED, J.

DATED : 28 JANUARY 2015

P.C.

This Notice of Motion has been taken out by the Applicant (Orig.Defendant No.1) to set aside the order dated 4 August 2014, whereby the Prothonotary & Sr.Master has directed that the suit against Defendants Nos. 1 & 3 to 5 be transferred to the list of Un defended Suits.

2. There is a delay of 164 days in taking out the Notice of Motion. Notice of Motion is not opposed. Hence, the same is allowed in terms of prayer clauses (a) & (b).

(A.A. SAYED, J.)