

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

**NOTICE OF MOTION NO. 218 OF 2015
IN
SUMMARY SUIT NO. 1937 OF 2011**

Deval Bavishi

.. Applicant (Org. Deft.)

In the matter between :

Anthony Pereira

.. Plaintiff

Vs.

Deval Bavishi

.. Defendant

Mr.S. Shamim i/b Shamim & Co. for plaintiff.

Mr.Ashok Purohit i/b Mr.A.M. Bhatia for defendant/applicant.

CORAM : K.R.SHRIRAM, J.

DATE : 21ST JULY, 2015

P.C.

1 This notice of motion is taken out on behalf of the defendant to set aside an ex-parte decree passed on 29.11.2011 after a delay of 3 years 57 days. When the matter was called out in the morning session, nobody appeared for the defendant. The matter was, therefore, kept back. In the post lunch, when the matter is called out, one Mr. Ashok Purohit, Advocate states that he is holding for the advocate on record for the defendant but he has no idea about the matter.

2 In the circumstances, the notice of motion is dismissed.

(K.R. SHRIRAM, J.)