

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
NOTICE OF MOTION NO. 316 OF 2015
IN
SUIT NO. 752 OF 2012

Coral Venture Private Limited ... Applicant /Plaintiff
Versus
Gopinath M. Koli ... Defendant

Mr. Sandeep Mourya for the Applicant / Plaintiff.
None for the Defendant.

CORAM : S.J. KATHAWALLA, J.
DATED : 17TH JUNE, 2015

P.C.

1. The above Notice of Motion is taken out for restoration of the above Suit, which was dismissed on 5th December, 2014 for want of prosecution.

2. On 6th May, 2015 this Court (Coram : S.C.Gupte, J.) has passed the following order :

“ This is a Notice of Motion for restoration of a suit and for continuation of ad-interim relief granted on 2nd September, 2011 by this Court on the Plaintiffs Draft Notice of Motion, pending the hearing of the Suit.

2. *Learned Counsel for the Defendant seeks time to file a*

reply to the Notice of Motion. Let such reply be filed within four weeks from today. Rejoinder, if any, within one week thereafter. Place the Notice of Motion for hearing on 17 June, 2015. In the meantime, the ad-interim order operating in the Suit till its disposal shall continue to operate subject, of course, to any third party rights created in the interregnum”.

2. The Defendant has not filed his Affidavit-in-Reply to the above Notice of Motion. The Defendant and his Advocate are absent. 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 clause (c), which is reproduced hereunder :

“(c) that this Hon'ble Court be pleased to restore the said Suit bearing No. 752 of 2012 as well as the (Draft) Notice of Motion and to continue the ad-interim relief dated 2-9-2011, granted on the said Notice of Motion and further, to proceed with the aforesaid Suit and the said Notice of Motion, in accordance with law”.

3. The above Notice of Motion is accordingly disposed of.
4. Place the Suit for directions on 22nd June, 2015.

(S.J. KATHAWALLA, J.)