

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

**NOTICE OF MOTION NO.472 OF 2015
IN
SUIT NO.4033 OF 1994**

Surindra Engineering Co. Ltd. ... Plaintiff
versus
Arbed International Trading S.A. And Anr. ... Defendants

Mr. B.B.Nangare, for Plaintiff.
Mr. P. Shenoy i/by M/s. Little and Co., for Defendant No.1.

CORAM: S.J. KATHAWALLA, J.

DATE: 15th JULY, 2015

PC.:

1. Perused the Notice of Motion and the Affidavit in support thereto. For reasons set out in the Affidavit in support of the Notice of Motion, the same is allowed in terms of prayer clauses (a) and (b), which are reproduced hereunder :

“(a) that the order dated 12-02-2015 dismissing the suit for non-compliance of directions be restored and the Plaintiffs be allowed to take further steps in the matter.

(b) The 65 days delay in restoration the matter be condoned”.

2. The Notice of Motion is accordingly disposed of.

3. The Plaintiff to file its Affidavit of Evidence, Affidavit of

documents and compilation of documents on or before 31-07-2015. The Defendants too shall file their Affidavit of documents and compilation of documents on or before 31-07-2015. Stand over to 31-07-2015, for Directions.

(S.J.KATHAWALLA, J.)