

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

**NOTICE OF MOTION NO.997 OF 2010
IN
SUIT NO.700 OF 1988**

Indian Bank	...	Plaintiff
versus		
M/s. Kohinoor Everbrite Paints and Ors.	...	Defendants

Mr. Girish Chandra, Chief Manager, of Indian Bank, present.

CORAM: S.J. KATHAWALLA, J.

DATE: 21st SEPTEMBER, 2015

PC.:

1. The above Suit was dismissed by an order dated 05-04-2010. Thereafter, the Advocate for the Plaintiff took out Notice of Motion for restoration of the Suit. Today, Mr. Girish Chandra, Chief Manager of the Plaintiff Bank appears and states that the Account is already transferred to the Asset Reconstruction Company (India) Limited (ARCIL) about four years back. It appears that the ARCIL has not taken any steps to substitute themselves in place of the Plaintiff in the above Notice of Motion or to take out a fresh Notice of Motion seeking similar reliefs. In view thereof, the above Notice of Motion is dismissed with liberty to the ARCIL to take out a fresh Notice of Motion seeking restoration of the Suit if so advised. Mr. Prakash Chandra,

Chief Manager of Plaintiff Bank undertakes to forward a copy of this order to the ARCIL.

(S.J.KATHAWALLA, J.)

CERTIFICATE

Certified to be true and correct copy of the original signed order.