

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
SUIT NO. 4901 OF 1998

Centurion Bank Limited ... Plaintiff

Versus

VHEL Limited and Anr. ... Defendants

Ms.Sneh Mehta i/b. Wadia Ghandy and Company for the Plaintiff.
None for the Defendants.

CORAM : S.J. KATHAWALLA, J.
DATED : 11TH JUNE, 2015

P.C.

In the above Suit, Centurion Bank Limited is the Plaintiff. Centurion Bank Limited is merged with the HDFC Bank Limited in the year 2008. However, in the last seven years no steps are taken by the Advocate for the Plaintiff to bring the HDFC Bank on record. Again on 30th June, 2014 the Advocate for the first Defendant sought discharge in the matter and this Court (Coram : G.S.Patel, J.) by its order dated 30th June, 2014 has directed the Plaintiff to “take steps to obtain order of substituted service from the Registrar (O.S.) / Prothonotary and Senior Master, for fresh service on the first Defendant”. Thereafter, the matter was called out on 18th March, 2015 and 10th April, 2015 before this Court (Coram : S.C. Gupte, J.). However, the same was adjourned since the order dated 30th June, 2014 was not complied with by the Advocate for

the Plaintiff. Today, when the Suit is called out for directions once again the Advocate for the Plaintiff states that neither any steps are taken to bring the HDFC Bank on record nor is the order dated 30th June, 2014 complied with till date. In view thereof, it is clear that the Plaintiff is not interested in prosecuting the Suit. This Court is therefore constrained to dismiss the Suit for want of prosecution.

(S.J. KATHAWALLA, J.)