

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

**NOTICE OF MOTION NO.1542 OF 2009
IN
SUIT NO.4 OF 1998**

The Federal Bank Ltd.

... Plaintiff

versus

Suman Arora

... Defendant

Mr. O.A.Das for Plaintiff.

None for Defendant.

CORAM: S.J. KATHAWALLA, J.

DATE: 28th SEPTEMBER, 2015

P.C.:

1. On 14th September, 2015, this Court passed the following order :

“1. The above Notice of Motion is taken out by Mr. Mangesh M.D.Patel, Advocate for the Defendant inter alia for the following reliefs :

(a) that the ex-parte order and judgment dated 5th July, 2007 passed by the Hon'ble Justice Shri Abhay S. Oka be set aside and/or quashed;

(b) that delay of 634 days in filing the Notice of Motion be condoned;

(c) that the Defendant be allowed to defend the Suit;

2. *The above Notice of Motion was called out for hearing and final disposal in the morning sessions. However,*

since the Advocate for the Applicant/Defendant failed to appear, the matter was kept back and a message was sent to Advocate Mangesh M.D.Patel to appear in the above matter. The Advocate has informed the Associate of this Court that he has returned the papers to the client. In view thereof, Mr. Mangesh M.D.Patel, Advocate for the Defendant, who continues to be for the Defendant on record, is directed to inform the Defendant that the above Notice of Motion will be taken up for hearing and final disposal on 28th September, 2015 and that if she fails to appear before this Court by herself or through an Advocate, the Notice of Motion shall be dismissed. Stand over to 28th September, 2015”.

2. Today again the Defendant and her Advocate are absent. In view thereof, the Notice of Motion is dismissed. Office to forthwith forward a copy of this order to Mr. Mangesh M.D.Patel, Advocate as well as the Defendant, by hand delivery.

(S.J.KATHAWALLA, J.)

CERTIFICATE

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