

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

SUMMARY SUIT NO. 626 OF 2014

A. Navinchandra Steels Limited
(Now A. Navinchandra Steels Pvt. Ltd).

.....Plaintiff

: V/S :

M/s. Shree Ram Urban
Infrastructures Ltd. & Ors.

.....Defendants

* * * * *

Ms. Armin Wandrewalla a/w. Ms. Sarojini Patil a/w. Ms. Toshika Katare
i/by. Singhanian & Co., Advocate for the plaintiffs.

Mr. M.S. Karnik a/w. Mr. Latil Katariya a/w. Ms. Benedicto Lobo i/by.
Kartikeya & Associates, Advocate for the defendants.

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Coram :- Smt. R.P. SondurBaldota, J.

7th October, 2015.

P.C. :-

1). By the order dated 16th July, 2015 the Summons for Judgment taken out by the plaintiff was partly allowed and the defendant was granted unconditional leave to defend the suit by directing him to deposit sum of Rs.5,92,76,586/- within a period of 4

weeks from the date of the order. The defendant has failed to comply with the condition. The plaintiff has filed Certificate of non-deposit issued by the Prothonotary & Senior Master. Ms. Wandrewala, learned Advocate appearing for the plaintiff submits that, this Court in the order dated 16th July, 2015 passed in the Summons for Judgment has in fact held that, the defendant has no defence whatsoever to the suit claim and that conditional leave was granted to it only by way of a grace. In view of non-deposit, the plaintiff is entitled to have the suit decreed in its favour. The plaintiff has already filed the documents which were admitted in evidence and taken on record on 1st October, 2015. The suit is decreed in terms of prayer clause (a).

(SMT. R.P. SONDURBALDOTA, J)