

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

SUMMARY SUIT NO. 6 OF 2013

Ambuja Cements Ltd.

.....Plaintiff

: V/S :

AB Enterprises and 2 Ors.

.....Defendants

* * * * *

Mr. Ketan A. Chotani, Advocate for the plaintiff.

* * * * *

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

30th September, 2015.

P.C. :-

1). By the order dated 17th June, 2015 passed on the Summons for Judgment, conditional leave to defend the suit was granted to the defendant. The condition was to deposit the entire suit claim i.e. Rs.1,13,40,000/- in this Court on/or before 31st July, 2015. The defendant has failed to comply with the condition.

2). The plaintiff has filed certificate of non-deposit dated 7th September, 2015. In view of non-compliance with the condition for leave to defend, the plaintiff is entitled to the decree as prayed in the suit. Mr.

Chotani, learned Advocate appearing for the plaintiff tenders, affidavit of examination-in-chief of the witness of the plaintiff and compilation of documents to support the decree sought by the plaintiff. He submits that, the compilation contains certified copies of the documents relied upon by the plaintiff, obtained from the Court of Additional Chief Metropolitan Magistrate, 27th Court at Andheri. The original documents have been tendered in evidence by the plaintiff in Criminal Case No. 81/SW/2010. The documents are taken on record and marked as Exhibits-A to M respectively. Read the pleadings and the affidavit of evidence. The suit is decreed in terms of prayer clause (a).

(SMT. R.P. SONDURBALDOTA, J)

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(sr. no.11)
Wednesday,30.9.2015

CERTIFICATE

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