

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL JURISDICTIONNOTICE OF MOTION NO.1389 OF 2012
IN
SUIT NO.3485 OF 2003

Sherenik Nagar Coop. Housing
Society Ltd. .. Applicant

In the matter between:

Shrenik Nagar Coop.Hsg. Society Ltd. .. Plaintiff
-Versus-
Sonrup Builders Pvt. Ltd. & Anr. .. Defendants

Mr.V. Mannadiar i/b. M/s.Mannadiar & Co. for plaintiff
Mr.Suresh Dubey for defendant No.1.

CORAM : K.R.SHRIRAM, J.

DATE : 21st September 2015.

P.C.

1] This notice of motion is taken out for setting aside the order of dismissal of the suit passed on 23rd December 2011.

2] Heard the Counsel for plaintiff. Counsel for plaintiff also states that once the suit is restored, he would be withdrawing the suit to adopt appropriate proceedings.

3] I have heard learned Counsel for defendant No.1. For reasons mentioned in the affidavit in support of the notice of motion and in view of the statement made by the learned Counsel for plaintiff, the suit stands restored to file.

4] In view of the statement made by learned Counsel for plaintiff, the suit is allowed to be withdrawn with liberty to adopt appropriate proceedings. Refund of court fees, if any, as per rules.

(K.R.SHRIRAM, J.)

CERTIFICATE

Certified to be true and correct copy of the original signed
Judgment/ Order.