

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

NOTICE OF MOTION NO.1949 OF 2010
IN
SUIT NO.1980 OF 2010

Mulraj Khatau and Sons Ltd. ... Plaintiff
Versus
Shahjahan Ahmed Matin Sheikh and Ors. ... Defendants

Mr.Aditya N. Raut i/b D.D.Carrimjee and Mulla for Plaintiff.
Mr.G.S.Bhat for Defendant No.1.
Mr.Nupur Mukherjee a/w Mr.Rahul Raut i/b Mr.N.N.Vaishnava &
Co. for Defendant No.5.

CORAM : K.R. SHRIRAM, J.

DATE : SEPTEMBER 28, 2015

P.C.

. The counsel appearing for the Defendant no.1 states that the order dated 26th August, 2010 read with order 1st September, 2010 may be continued and the motion be made absolute.

2. In view of the submission made, the order dated 26th August, 2010 read with order 1st September, 2010 to continue upto the disposal of the suit.

3. Accordingly the Notice of Motion is also stands disposed in terms of prayer clause (a) and (b).

4. The counsel for the Plaintiff states that Defendant No.1 and Defendant No.5 have filed the written statement. As regards Defendant No.2, 4 and 6, the Defendant No.2 to 4 appeared in this Court at interim stage of hearing of the Notice of Motion. The counsel states that they have not been, however, served the copy of the written statement on behalf of the Defendant Nos.2 to 4. The counsel seeks time to ascertain whether written statement has been filed or not, as it is not clear from the available records and proceedings as to whether Defendant Nos.2 to 4 have filed written statement or not. As regards Defendant No.6 the written statement is on record. The counsel for the Plaintiff states that they have not been served a copy of the written statement. The Advocate for Defendant No.6 is directed to provide a copy of the written statement within two weeks from today.

5. Stand over to 13th October, 2015 for framing of issues.

(K.R. SHRIRAM, J.)

CERTIFICATE

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