

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
NOTICE OF MOTION (L) NO. 1697 OF 2015
IN
SUIT NO. 1088 OF 2011

Shri Anil N. Kapoor & Anr. ... Applicants / Def. Nos. 2 & 3

IN THE MATTER BETWEEN :

Shri Subhash N. Kapoor ... Plaintiff

Versus

Shri Rajindar N. Kapoor ... Defendants

Ms. Archana Khan for the Applicants / Defendant Nos. 2 and 3.
Mr. B.H. Mehta for the Plaintiff.

CORAM : S.J. KATHAWALLA, J.
DATED : 6TH JULY, 2015

P.C.:

1. Mentioned. Not on board. Taken on board.
2. Heard the learned Advocates appearing for the parties and the following order is passed by consent :
 - i. Delay of 1035 days in taking out this Notice of Motion is condoned.
 - ii. The order dated 30th July, 2012 transferring the Suit against Defendant Nos. 2 and 3 to the list of undefended Suits is set aside.
 - iii. The Defendant Nos. 2 and 3 are allowed to file their Written Statements on or before 10th July, 2015.

- iv. The undertaking given by the Advocate for Defendant Nos. 2 and 3 that Defendant Nos. 2 and 3 shall pay Rs.1 Lac towards cost to the Plaintiff on or before 31st July, 2015 is accepted.
- v. The above Notice of Motion is accordingly disposed of.
- vi. Place the Suit on 20th July, 2015 for framing of issues.

(S.J. KATHAWALLA, J.)