

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
NOTICE OF MOTION NO. 1960 OF 2012

IN

SUIT NO. 3078 OF 1999

Eternit Everest Limited and Anr. ... Applicants / Plaintiffs

Versus

Cosco Tianji Ocean Shipping Co. ... Defendant

None for the Applicants / Plaintiffs.

None for the Defendant.

CORAM : S.J. KATHAWALLA, J.
DATED : 9TH OCTOBER, 2015

P.C.

1. On 19th April, 2012 this Court (Coram : A.A.Sayed, J.) passed the following order :

“ The suit is listed under the caption 'For Dismissal' today as none had appeared for the Plaintiffs on the last occasion. Even today none appears for the Plaintiffs. Hence, suit is dismissed for non-prosecution”.

2. Thereafter, the Applicants / Plaintiffs have taken out the above Notice of Motion in July, 2012 seeking condonation of delay and restoration of the above Suit, which was dismissed by an order dated 19th April, 2012. None for

the Applicants / Plaintiffs. The Affidavit proving service on the Defendant is also not on record. In view thereof, the Notice of Motion is dismissed for want of prosecution.

(S.J.KATHAWALLA, J.)

CERTIFICATE

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