

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

**NOTICE OF MOTION NO.3546 OF 2009
IN
SUIT NO.2549 OF 2009**

Pratapsingh Shoorji Vallabhdas & Ors.Plaintiffs

V/s.

Jaywant J. Patil & Ors.Defendants

Mr. Farhan Dubash a/w Ms. Tanvi Kamat i/b. Hariani & Co. for the plaintiffs.

Mr. Simil Purohit a/w Mr. Tejas Shah i/b. Lilani Shah and Co. for the defendant no.15.

Mr. Vinay Bhorge i/b. M/s. Utangale & Co. for the defendant no.21.

**CORAM : K.R.SHRIRAM,J
DATE : 19th October, 2015**

P.C.:-

1 At the outset the counsel for the applicants seeks leave to withdraw the notice of motion. Therefore, the notice of motion is allowed to be withdrawn and accordingly disposed of.

2 The counsel for the plaintiffs states that except defendant no.19 none of the other defendants have filed the written statement. The counsel for the plaintiffs, on instructions undertakes to file the affidavit of service on or before 27th October, 2015.

3 The counsel appearing for defendant no.21 undertakes to
file the written statement and serve a copy thereof upon the plaintiffs'
advocate within one week from today.

4 The counsel for the plaintiffs states that defendant no.1(c)
has expired and an application is pending before the Prothonotary
and Senior Master to bring the legal heirs of defendant no.1(c) on
record.

5 The suit as against defendants except defendant no.19 be
transferred to the list of undefended suits but subject to the plaintiffs
proving that they have served the writ of summons upon the other
defendants.

6 Stand over to 28th October, 2015.

(K.R.SHRIRAM,J)

CERTIFICATE

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