

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**ORDINARY ORIGINAL CIVIL JURISDICTION****NOTICE OF MOTION NO. 1550 OF 2014****IN****SUIT NO. 3980 OF 2002**

Shyam R. Godhwani

...Applicant / Orig.Deft.No.2

In the matter between

Castrol India Ltd.

...Plaintiff

vs.

Shri Vashdev D. Lakhani & Ors.

...Defendants

Mr.Karl Shroff with Ms.Mridul Kawatra i/b. Dhru & Co. for Plaintiff.

Mr.Madhusudanan Nair for Defendant No.2.

Mr.Gauraj Shah i/b. Kanga & Co. for Defendant No.4.

CORAM : S.C. GUPTE, J.**10 DECEMBER 2015****P.C. :**

This notice of motion is taken out by Defendant No.2 for deletion of Defendant Nos.4 and 5 from the cause title. The Plaintiff is the *dominus litis* of the proceedings and has arraigned Defendant Nos.4 and 5 as party Defendants. Defendant Nos.4 and 5 have filed their written statement and are contesting the suit. There is no right in the co-Defendant, namely, Defendant No.2, to apply for deletion. There is no merit in the notice of motion.

2 The notice of motion is dismissed. No order as to costs.

3 Suit to come up on board for issues on 16 December 2015 along with other suits.

(S.C. Gupta, J.)