

Smt. Sangitadevi Shyamji Mishra	...	Applicant/Plaintiff
versus		
Shyamshankar Shripat Mishra	...	Defendant

Mr. Aditya Pratap, for Plaintiff.
Mr. Y.R.Mishra, for Defendant.

CORAM: S.J. KATHAWALLA, J.

DATE: 5th DECEMBER, 2015

P.C.:

1. The Suit is dismissed on 08-01-2008. The Notice of Motion seeking restoration of the Suit is taken out on 30-09-2015. Though, the Plaintiff and Defendant are related and the Plaintiff is aware that the Defendant has passed away about two years back, the Plaintiff has not bothered to inform the Court about the same.
2. The Notice of Motion is admittedly not directed against the heirs of the deceased Defendant. In view thereof, the Notice of Motion is disposed of as withdrawn with liberty to the Plaintiff to file a fresh Notice of Motion seeking necessary reliefs. The above Notice of Motion is accordingly disposed of.

(S.J.KATHAWALLA, J.)