

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
NOTICE OF MOTION NO.2097 OF 2015**

**IN
SUIT NO.566 OF 2013**

Mr. M.K.Agarwal and Ors.	...	Applicants
and		
Kotak Mahindra Trusteeship Service Ltd.	...	Plaintiff
versus		
DRS Logistics Pvt. Ltd. and Ors.	...	Defendants

Mr. Ram Kakkar i/by M/s. AZB and Partners, for Plaintiff.
Mr. Rajesh Ranjan i/by Mr. Vedchetan Patil, for Defendant Nos.2, 5 and 6.
Mr. Rajesh Piprodia, for Defendant No.3.
Mr. Shripathi i/by Mr. Vedchetan Patil, for Defendant No.17.

**CORAM: S.J. KATHAWALLA, J.
DATE: 14th DECEMBER, 2015**

P.C.:

1. Heard the learned Advocates for the parties. Perused the Notice of Motion and the Affidavit in support thereto. For reasons set out in the Affidavit in support of the Notice of Motion, the order dated 23-11-2015 placing the Suit for Ex-Parte Decree against Defendant Nos.2, 5, 6 and 17 is set aside. Written Statement of Defendant Nos.2, 5 and 6 is taken on record. The learned Advocate for Defendant No.17 states that Defendant No.17 be allowed to adopt the Written Statement filed on behalf of Defendant Nos.2, 5 and 6. Order accordingly. The Notice of Motion is accordingly disposed of.
2. Place Notice of Motion No.2025 of 2015 for hearing on 12-01-2016.

(S.J.KATHAWALLA, J.)