

**FARAD CONTINUATION SHEET
IN THE HIGH COURT OF JUDICATURE AT BOMBAY.
ORDINARY ORIGINAL CIVIL JURISDICTION.**

**NOTICE OF MOTION NO. 2165 OF 2015
IN
SUMMARY SUIT NO. 1492 OF 1997**

Office Notes, Office Memoranda of Coram, Appearances, court's orders or directions and Prothonotary's orders	Court's or Judge's orders
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Mr. D. Bheda i/b M/s. Purnanad & Co. for the Plaintiff.

Mr. Abdul Wahab Ansari for the Defendant.

**CORAM : K. K. TATED, J.
DATED : 22/12/2015.**

PC.:

. Heard learned Counsel for the parties.

2 This application is preferred by defendant Official Liquidator for condonation of 98 days delay in filing written statement.

3 The learned counsel for the applicant submits the written statement is already served on plaintiff on 10.09.2015.

4 Considering the submissions made by the learned counsel for the Applicant and the averments made in affidavit in support of Notice of Motion, I am satisfied that the Applicant has made out a case for allowing the present Notice of Motion. At the same time, Applicant to pay cost to the plaintiff.

5 Hence, Notice of Motion is made absolute in terms of prayer clauses (a) and (b) which read thus:

“a) The delay of about 98 days or thereabout in filing written statement of Defendants may kindly be condoned.

b) The written statement of Defendants be ordered to be taken on record.”

6 Applicant to file their written statement on or before 08.01.2016, failing which the Notice of Motion shall stand dismissed without further reference to the court.

7 Defendant to pay cost to the plaintiff as per High Court, Original Side Rules.

(K.K.TATED, J.)