

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
NOTICE OF MOTION (L) NO. 218 OF 2016
IN
CHAMBER SUMMONS (L) NO. 1288 OF 2015
IN
SUIT NO. 893 OF 2004

M/s. P.H. Jain ... Applicant

IN THE MATTER OF :

M/s. P.H. Jain ... Plaintiff

Versus

M/s. Sasangi Engineering (Bombay) Pvt. Ltd. ... Defendant

Mr. Chetan Yadav i/b. M/s. Ram and Company for the Applicant / Plaintiff.
Mr. Cyrus Ardhesir a/w. Mr. Ankit Lohia i/b. Legasis Partners for the Defendant.

CORAM : S.J. KATHAWALLA, J.
DATED : 9TH FEBRUARY, 2016

P.C.

1. Mentioned. Not on board. Taken on board.
2. Perused the Notice of Motion and the Affidavit in support thereto. For the reasons set out in the Affidavit in support of the Notice of Motion, the Notice of Motion is allowed in terms of prayer clauses (a) and (b), which are reproduced hereunder :

“(a) The delay in making the present Application may be condoned, if any ;

(b) This Hon'ble Court be pleased to set aside the order dated 27th October, 2015 passed by Prothonotary and Senior Master rejecting the Chamber Summons (L) No. 1288 of 2015 and the said Chamber Summons may be restored to file.”

3. The learned Advocate appearing for the Plaintiff to remove office objections on or before 10th February, 2016, failing which the above Chamber Summons shall stand dismissed without reference to this Court.
4. In the event of the objections raised in the above Chamber Summons being removed by the Plaintiff, place the above Chamber Summons for hearing and final disposal on 11th February, 2016, after the Ad-interim matters.
5. Time granted to the learned Commissioner to record the cross-examination of PW-1 and submit his report is extended up to 16th February, 2016.
6. The Notice of Motion is accordingly disposed of.

(S.J.KATHAWALLA, J.)