

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
NOTICE OF MOTION NO.170 OF 2015
IN
SUIT NO.2438 OF 2004**

Farhat Jahan Ansari	...	Applicant/Plaintiff
Versus		
Parchhaiyan Co-op. Hsg. Society Ltd. and Ors.	...	Defendants

Mr. Kevin Gala i/by Mr. N. Raja, for Plaintiff.
Mr. Y.R.Shah, for Defendant Nos.3 and 4.

**CORAM: S.J. KATHAWALLA, J.
DATE: 10th FEBRUARY, 2016**

P.C.:

1. 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 Notice of Motion is allowed in terms of prayer clauses (a) and (a1), which are reproduced hereunder :

"(a) Delay of 55 days be kindly condoned;
(a1) that the order dated 5th November, 2014 passed by the Hon'ble Court (Coram : G.S.Patel, J.) dismissing in default the Suit No.2438 of 2004 be restored on file for prosecuting further;"

2. The Notice of Motion is disposed of.
3. Place the Suit for Framing of Issues on 02-03-2016.

(S.J.KATHAWALLA, J.)