

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION**

**NOTICE OF MOTION NO.661 OF 2009
IN
SUIT NO.408 OF 2009**

Gurukrupa Construction Co. & Ors.Plaintiffs

V/s.

Mahendra Pravinchandra Gandhi & Ors.Defendants

Mr. Cyrus Ardeshir a/w. Ms. Priya Thakur i/b. Malvi Ranchoddas & Co. for the plaintiffs.

Ms. Deepti B. Mistry i/b. Vaibhav Mehta & Associates for the defendants.

CORAM : K.R.SHRIRAM,J

DATE : 6th SEPTEMBER, 2016

P.C.:-

1 The counsel for the plaintiffs seeks leave to withdraw the notice of motion.

2 The notice of motion is disposed as withdrawn. Since this notice of motion is withdrawn, the question of framing issue under section 9(A) does not arise.

3 The defendants to file their written statement and serve a copy thereof upon the plaintiffs on or before 27th September, 2016. Parties to file their respective affidavits of documents on or before 4th October, 2016. On or before 15th October, 2016 parties to complete discovery and inspection and also file and exchange their statement of

admission and denial with reasons for denial.

4 Since this is a suit filed in the year 2009, parties are put to notice that no extension of time will be granted to any party to comply with the directions given above and the parties will be put to terms including substantial cost.

5 The suit be listed for issues on 24th October, 2016.

(K.R.SHRIRAM,J)