

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

SUMMARY SUIT NO. 574 OF 2014

M/s. Padumjee Pulp & Paper Mills Limited .. Plaintiff

Vs.

M/s PCI Papers Ltd. & Ors. .. Defendants

Mr.Rajesh Wamorkar i/b M/s. Maravoor Wamorkar & Co. for plaintiff/applicant.

None for defendants.

CORAM : K.R.SHRIRAM, J.

DATE : 20TH OCTOBER, 2016

P.C.

1 The claim filed by the plaintiff was as an unpaid seller. The defendant had also admitted in a meeting held at the plaintiff's office that there was an amount of Rs.1,84,05,337/- payable by the defendants to the plaintiff. On 26th April 2016, conditional leave to defend was granted and the defendants were directed to deposit a sum of Rs.1.50 crores with the Prothonotary and Senior Master within four weeks.

2 The four weeks expired on or about 23rd May 2016. The defendants have not deposited the amount. The plaintiff has produced a certificate from the Prothonotary and Senior Master, High Court, Bombay certifying that the defendants have not deposited a sum of Rs.1.50 crores. The counsel also confirms that even as on date, the defendants have not deposited the amount.

3 In the circumstances, the plaintiff will be entitled to a decree.

4 The suit decreed accordingly. The plaintiff is also entitled to costs of Rs.50,000/-.

5 Decree be drawn up accordingly.

(K.R. SHRIRAM, J.)