

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

CHAMBER SUMMONS NO.603 OF 2014

IN

SUIT NO.919 OF 2013

Mr. Suryakant AdsulApplicant/Def.No.2

IN THE MATTER BETWEEN :

Rajan S/o. Suryakant AdsulPlaintiff

V/s.

Mrs. Shobha Dilip Kamble & Anr.Defendants

WITH

NOTICE OF MOTION NO.1 OF 2014

IN

SUIT NO.919 OF 2013

Rajan S/o. Suryakant AdsulApplicant/Plaintiff

V/s.

Mrs. Shobha Dilip Kamble & Anr.Defendants

Mr. Anand Mishra a/w. Mr. Sushil Upadhyay i/b. Mr. Ashok M. Saraogi for the plaintiff.

Mr. Roshan Tanna i/b. N.V. Khaladkar for the defendants.

CORAM : K.R.SHRIRAM,J

DATE : 21st SEPTEMBER, 2016

P.C.:-

CHAMBER SUMMONS NO.603 OF 2014

1 In this chamber summons taken out on behalf of the defendant no.2 the applicant is seeking leave of the court to record the evidence of defendant no.2 immediately since the defendant no.2 is 83 years old. Even the issues in the suit have not been settled.

2 Therefore, this chamber summons is premature and accordingly disposed of.

NOTICE OF MOTION NO.1 OF 2014

1 The plaint was lodged on 28th November, 2013. This notice of motion has been lodged on 30th November, 2013. Neither any ad-interim relief has been granted nor pressed for. Infact even the relief sought in the notice of motion is the final relief in the suit, which cannot be granted.

2 Therefore, the notice of motion is dismissed.

SUIT NO.919 OF 2013

1 The pleadings in the suit are completed. Therefore, within three weeks from today the parties to file their respective affidavit of documents, give inspection of documents to each other and also file and exchange statement of admission and denial with reasons for denial.

2 The suit be listed for issues on 15th October, 2016.

3 Since the defendant no.2 is 83 years old, the parties are directed to strictly comply with the directions given above, failing which they will be put to terms.

(K.R.SHRIRAM,J)