

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

**NOTICE OF MOTION NO.634 OF 2016  
IN  
SUIT NO.826 OF 2015**

The Wadala Udyog Bhavan Unit  
Holders Co-op Society Ltd.

....Applicants/Org. Def. No.3

**IN THE MATTER BETWEEN :**

Norma Raj Suvarna

....Plaintiff

Vs.

Maresh Jethanand Chandiramani & Ors. ....Defendants

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Mr. Zubin Behramkamdin i/b. B. Amin and Co. for the plaintiff.  
None for the applicant/defendant no.3.

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**CORAM : K.R.SHRIRAM, J.  
DATE : 21<sup>st</sup> DECEMBER, 2016**

**P.C.**

1            This notice of motion is taken out by the applicant/defendant no.3 to condone the delay of 49 days in filing the written statement and to take the same on record.

2            Though nobody appeared for the applicant today, I have considered the affidavit in support. There is no affidavit in reply also filed by the plaintiff.

3            In view of what is stated in the affidavit in support, I am inclined to allow the notice of motion. The notice of motion is hereby allowed and accordingly disposed in terms of prayer clauses – (a) and (b).

4           The defendant no.3 to file the written statement in the registry and serve a copy thereof upon the plaintiff within one week from today.

          The registry to accept the written statement and take the same on record subject to removal of office objections.

5           Mr. Behramkamdin, counsel for the plaintiff states that there is a notice of motion bearing no.1635 of 2015 taken out by the plaintiff which required to be heard. Mr. Behramkamdin, on instructions further states that the said notice of motion has been served upon the defendants some time ago.

6           The notice of motion bearing no.1635 of 2015 to be listed for hearing on 9<sup>th</sup> February, 2017.

**(K.R. SHRIRAM, J.)**