

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

**SUIT NO.1754 OF 2006
WITH
NOTICE OF MOTION NO.1947 OF 2006
IN
SUIT NO.1754 OF 2006**

Kashibai Waman Patil & Ors.Plaintiffs

V/s.

Taukirahmed Mohamed Hanif Khan Abdul & Ors.Defendants

None for the plaintiffs.

Mr. Anushok Davar a/w. Mr. Rushabh Sheth i/b. M/s. Bodhanwala & Co. for the defendant nos. 1 and 5.

CORAM : K.R.SHRIRAM,J

DATE : 21st MARCH, 2016

P.C.:-

1 On 5th January, 2016 the parties were directed to file their respective affidavit of documents together with their compilations concerning the preliminary issue within a period of two weeks. The plaintiffs were also directed to file their list of witnesses and affidavit of evidence of their first witness within a period of two weeks thereafter. On 26th February, 2016 at the request of the counsel for the plaintiffs, the time was extended. The matter was then stood over to 11th March, 2016.

2 We are on 21st March, 2016. Today nobody is present for the plaintiffs. Mr. Davar, counsel appearing for defendant nos.1 and 5 on instructions states that they have not been served any affidavit by the plaintiffs.

3 In the circumstances, the suit stands dismissed. The notice of motion also accordingly stands disposed. The ad-interim order of status quo in terms of the order dated 30th June, 2006 continues for a period of four weeks.

(K.R.SHRIRAM,J)