

ATUL

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
NOTICE OF MOTION (L) NO. 1411 OF 2016
IN
SUIT (L) NO. 430 OF 2016**

Shafeeque Ahmed Mohammed Sayeed ...Plaintiff
Versus
H.K. Enterprises & Success Pharma ...Defendants

Mr. Alankar Kirpekar, i/b MAG Legal, for the Plaintiffs.

**CORAM: G.S. PATEL, J
DATED: 28th July 2016**

PC:-

1. Heard. Mr. Kirpekar for the Plaintiff sought an *ex parte* ad-interim order on 22nd April 2016. Having made out a sufficient *prima facie* case, I granted that order in terms of prayer clauses (a), (b), (c) and (d) of the Notice of Motion. The Court Receiver executed his commission. The Defendants were served.
2. An Affidavit of Service dated 25th July 2016 is tendered. It establishes that service was effected on 9th June 2016. Mr. Kirpekar says that the Defendants did approach the Plaintiff's Attorneys for a settlement but they have then disappeared.

3. I notice that there is no vakalatnama and no Affidavit in Reply has been filed. None appears for the Defendants.

4. The Notice of Motion is made absolute in terms of prayer clauses (a), (b), (c) and (d). In addition, at the final hearing of the Suit, the Plaintiffs will be entitled to apply for recovery of the actual costs incurred by them in this Notice of Motion.

(G. S. PATEL, J.)