

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
NOTICE OF MOTION NO. 1612 OF 2011

IN

SUIT NO. 1111 OF 1996

Atmaram Govind Abhyankar and Ors. ... Applicants / Plaintiffs

Versus

St. Francis Xavier Church and Ors. ... Defendants

Mr. A.D. Kango for the Applicants / Plaintiffs.

Ms. Radha Bhandari i/b. M.V. Kini and Company for Defendant No. 7.

Mr. M.V. More, Addl.G.P. For Defendant No. 9.

CORAM : S.J. KATHAWALLA, J.

DATED : 8TH JANUARY, 2016

P.C.

1. Perused the Notice of Motion and the Affidavit in support thereto. For the reasons set out in the Affidavit in support of the Notice of Motion, the Notice of Motion is allowed in terms of prayer Clause (a), which is reproduced hereunder :

“(a) Order dated 5th May, 2011 passed by this Honourable Court may be recalled and Suit No. 1111 of 1996 be restored to its original file and may kindly be heard on merits in the interest of justice.”

2. The Notice of Motion is accordingly disposed of.

3. Place the Suit for directions on 13th January, 2016.

(S.J.KATHAWALLA, J.)