

SHEPHALI

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
NOTICE OF MOTION (L) NO. 1841 OF 2016
IN
SUIT (L) NO. 1320 OF 2015**

Khursheet Anwad Mohammadali & Anr. ...Plaintiffs
Versus
Arya Herbala & Anr. ...Defendants

Mr. Alankar Kripekar, *i/b MAG Legal, for the Applicants/Plaintiffs.*
Ms. Swapnali Desai, *for Defendants Nos. 1 and 2.*

CORAM: G.S. PATEL, J
DATED: 1st July 2016

PC:-

1. There appears to have been a series of miscommunication in this matter resulting in the Plaintiffs' Suit being dismissed for default by a departmental order dated 15th March 2016. Having heard Mr. Kirpekar for the Plaintiffs, I am inclined to restore the Suit. The suit is restored to file.

2. Leave Petition No. 289 of 2015 was also previously allowed. I notice from the record that by an order dated 2nd March 2016, the Plaintiffs' Notice of Motion (L) No. 3528 of 2015 was disposed of

by an order dated 2nd March 2016. Mr. Kirpekar undertakes to get the Motion itself finally numbered.

3. Mr. Kirpekar states that the remaining objections will be removed on or before 8th July 2016. Reverification is dispensed with.

4. Written Statement to be filed and served on or before 31st August 2016.

5. Suit to be listed for framing issues and for further directions on 19th September 2016.

(G. S. PATEL, J.)