

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

**NOTICE OF MOTION NO. 1769 OF 2016
IN
SUIT NO. 4494 OF 1997**

National Stock Exchange of India Ltd. & Anr. .. Applicants

In the matter between :

National Stock Exchange of India Ltd. & Anr. .. Plaintiffs

Vs.

Gazi Securities P. Ltd. .. Defendant

Mr.Nimay Dave a/w. Mr.Vijayendra Purohit i/b M/s. Manilal Kher Ambalal & Co. for plaintiffs/applicants.

None for defendant.

**CORAM : K.R.SHRIRAM, J.
DATE : 22ND DECEMBER, 2016**

P.C.

1 Heard the counsel for the applicants and also considered the affidavit in support. For the reasons mentioned in the affidavit in support and in view of the averments made by the counsel for the applicants, the notice of motion is allowed in terms of prayer clauses (a) and (b).

2 The suit is restored to file. The written statement of the defendant is also on record.

3 The suit, therefore, be listed for issues on 6th February 2017.

In the meanwhile, the parties to file their respective affidavit of documents, complete discovery and inspection and also exchange statements of admission and denial with reasons for denial. On the next date, the parties also to come with agreed draft issues and a separate list of issues on which they are unable to agree.

Since this suit is of the year 1997 and has already been dismissed once, the parties are put to notice that if they do not comply with the above directions, both the parties will be put to terms.

(K.R. SHRIRAM, J.)