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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
NOTICE OF MOTION NO. 911 OF 2015
IN
SUIT NO. 3443 OF 2004**

Sabmiller India Limited ...Plaintiffs
Versus
Mohan Rocky Spring Water Breweries Limited ...Defendants

Mr. Ashutosh Kane, with Mr. Nikhil Sharma, i/b M/s. W.S. Kane & Co., for the Plaintiffs.
None for the Defendants.

**CORAM: G.S. PATEL, J
DATED: 5th December 2016**

PC:-

1. This is the Defendants' Notice of Motion to condone the delay of 12 years for filing the Written Statement, and for leave to file a separate Counter-claim. It is not in dispute that the Suit was transferred to the list of undefended cause on 10th November 2008 or that by later order dated 8th March 2013 (Mr. Justice S.J. Kathawalla).
2. An amendment was permitted and liberty was granted to the Defendants to file Additional Written Statement on or before 30th March 2013. There is even today no Written Statement filed.

3. None appears for the Defendants. The Notice of Motion is dismissed with costs.

(G. S. PATEL, J.)