

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

**CHAMBER SUMMONS NO. 908 OF 2012
WITH
NOTICE OF MOTION NO. 3096 OF 2011
IN
SUIT NO. 2549 OF 2011**

Prasad T. Lad .. Plaintiff
Vs.
Sabai Mura Rabari & Ors. .. Defendants

Mr. Shriram S. Redij for plaintiff/applicant.
None for defendants.

**CORAM : K.R.SHRIRAM, J.
DATE : 28TH SEPTEMBER, 2016**

P.C.

1 The counsel for the plaintiff tenders further affidavit of service of one Prasad Tukaram Lad who is the plaintiff herein.

2 This chamber summons is for leave to amend the plaint as per the Schedule annexed to the chamber summons. No reply has been filed and nobody is present for the defendants.

3 The chamber summons therefore allowed in terms of prayer clause (a). Amendment to be carried out and the amended plaint be served upon the defendants within two weeks from today.

4 The defendants to file written statement within three weeks of receiving copy of the amended plaint and also serve a copy thereof upon the advocate for the plaintiff.

5 The suit be listed for issues on 5th December 2016. In the meanwhile, parties to also file their respective affidavits of documents, complete discovery and inspection and also exchange statement of admission and denial of documents with reasons for denial.

6 Since this is a suit of the year 2011, parties are directed to strictly comply with the directions given above.

NOTICE OF MOTION NO. 3096 OF 2011

7 This notice of motion has been lodged on 14th October 2011 though the affidavit in support was affirmed on 13th September 2011. No application for even ad-interim relief was made and this motion has been pending for more than five years now. No case also is made out for any change in circumstances, warranting any interim relief as prayed.

8 In the circumstances, the notice of motion stands dismissed.

(K.R. SHRIRAM, J.)