

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

**NOTICE OF MOTION NO.2204 OF 2016
WITH
NOTICE OF MOTION NO.1470 OF 2015
IN
SUIT NO.2133 OF 2011**

Siddharth Nagar Sai Baba CHS Ltd.Applicant/Org. Def. No.1

IN THE MATTER BETWEEN :

Ramjiyani Construction Pvt. Ltd.Plaintiff

Vs.

Siddharth Nagar Sai Baba CHS Ltd. & Ors.Defendants

None for the plaintiff.

Mr. Ketan A. Chothani for the defendant no.1/applicant.

Mr. Devendra Tiwari i/b. P.G. Lad for the defendant no.2.

CORAM : K.R.SHRIRAM, J.

DATE : 21st DECEMBER, 2016

P.C.

1 Heard Mr. Chothani, counsel for the applicant, who has filed his personal affidavit in support of the notice of motion in which he has explained the reason why he was unable to remove office objections.

2 The Prothonotary and Senior Master by an order dated 25th August, 2015 has passed conditional order to have the office objections removed by 8th September, 2015. Mr. Chothani states that his mother has expired on 22nd August, 2015 and hence he was unable to attend the matter.

3 I am satisfied with the explanation. Today nobody is present for the plaintiff nor have they filed any affidavit in reply.

4 Therefore, the notice of motion is allowed and accordingly disposed in terms of prayer clauses – (a) and (b).

5 The notice of motion no.1470 of 2015 is restored to file. The notice of motion no.1470 of 2015 to be listed for hearing on 12th January, 2017.

(K.R. SHRIRAM, J.)