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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
NOTICE OF MOTION (L) NO. 2620 OF 2016
IN
SUIT (L) NO. 45 OF 2015**

Marzban Dadi Naegamvala	...Plaintiff
<i>Versus</i>	
Miss Christine R. Pastakia	...Defendant

Mr. Bhupendra Singh, *for the Plaintiff.*
Mr. Zubin Behramkamdin, *i/b Wadia Ghandy & Co., for the Defendant.*

CORAM: G.S. PATEL, J
DATED: 20th September 2016

PC:-

1. The Suit was rejected for non-payment of court fees. The full amount of court fee has been paid under orders previously passed on 4th August 2016 (Mr. Justice S.J. Kathawalla).

2. The present Notice of Motion seeks a restoration of the Suit and thereafter a withdrawal of the Suit. It is unclear why this course of action is adopted since, on the Plaintiff's own showing, he is entitled to a refund of court fees even on rejection.

3. Refund of court fees upon that rejection in accordance with the Rules.

4. There is no reason to grant the reliefs sought in the Notice of Motion, which is dismissed.

(G. S. PATEL, J.)