

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

**NOTICE NO.1507 OF 2010
IN
EXECUTION APPLICATION NO.677 OF 2010
IN
SUIT NO.745 OF 1991
WITH
CHAMBER ORDER (L) NO.510 OF 2011**

The Board of Trustees of the Port of BombayPlaintiffs

V/s.

M/s.Chhip TradersDefendants

Ms.Radha Bhandari i/by M/s.M.V.Kini & Co. for plaintiffs.

None for defendants.

**CORAM : K.R.SHRIRAM,J
DATE : 10.8.2016**

P.C.:-

1 By an order dated 13.3.2012 leave was granted by this court to take out appropriate proceedings for serving the judgment debtor by substituted service. The counsel appearing for the plaintiffs states that pursuant to the leave granted, they have taken out Chamber Order bearing (L) No.510 of 2011 and the same was allowed by an order dated 30.4.2012 passed by the Prothonotary & Senior Master, High Court, Bombay. The counsel states that between 30.4.2012 till date, they have not taken any steps to serve the judgment debtor by substituted service because there was an amnesty scheme introduced by the plaintiffs whereby the judgment

debtor and various defendants were given an option to settle for a percentage of the principal amount. It was one time settlement scheme. The counsel states therefore, they did not take steps to serve by substituted service. The scheme as stated by the counsel was brought in the year 2012-13. From 2013 till date why the plaintiffs did not take any steps, there is no explanation. Therefore, Notice stands discharged and Execution Application stands dismissed.

(K.R.SHRIRAM,J)