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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

PETITION NO.227 OF 2015

IN

SUIT (L) NO.589 OF 2015

Sagar Laungani

...Petitioner

V/s.

Kishore Basumal Laungani & Ors.

...Respondents

.....

Mr. Wesley Menezes i/b. Gaurav Parkar for the Petitioner.

.....

CORAM : A. K. MENON, J.

DATE : 6TH JANUARY, 2016.

PC.:

Mentioned. Not on board. Taken on board.

2] This is an Application for Leave under clause 12 of the Letters Patent, the plaint was rejected under Rule 986 of the High Court Original Side Rules on 6th October, 2015. Vide order dated 17th December, 2015 the Suit was restored to file subject to removal of objections on or before 30th December, 2015. Thereafter the plaintiff's move the Vacation Court on 1st January, 2016 and obtained extension of time by one week. The period of one week expires on 8th January, 2016. The application is made today for leave since it is one of the objections raised by the Registry.

3] The plaintiff's rely on judgment of a Single Judge of this Court in the case of Quadricon Pvt. Ltd. V/s. Bajarang Alloys Ltd. AIR 2008 Bombay 88. He relies upon the observations in paragraph nos.16, 17, 22 and 36 and submits that the

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plaint has only been presented on 15th June, 2015 but has not been admitted so far. In the circumstances, in view of the decision of this Court in the aforesaid matter they seek leave under clause 12. In the circumstances, leave granted.

3] The learned counsel for the plaintiff undertakes not to move any further application for extension of time and that objections will be removed as directed on or before **8th January, 2016**.

(A. K. MENON, J.)

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