

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

**NOTICE OF MOTION NO.2411 OF 2016
IN
SUIT NO.1538 OF 1997**

Abode Constructions

)....Plaintiff

V/s.

CIDCO and Ors.

)....Applicants/Defendants

None for plaintiff.

Ms.P.M.Bhansali i/by G.S.Hegde for defendant nos.1 to 4.

**CORAM : K.R.SHRIRAM,J
DATE : 28.8.2017**

P.C.:-

1 Leave to amend the prayer clause granted. This Notice of Motion is taken out on behalf of defendant nos.1 to 4 to permit them to file their written statement.

2 Heard counsel for defendant nos.1 to 4 and also considered the affidavit in support. Counsel states that copy of this Notice of Motion and affidavit in support has been served upon the plaintiffs on 23.12.2016 but no reply has been filed or copy served upon the applicants.

3 From paragraph-11 of the affidavit in support, it appears that copy of the plaint was served upon the applicants only on

19.1.2016 though the suit itself has been lodged in 1997.

4 I am inclined to grant one opportunity. Applicants to file written statement within two weeks from today, failing which the suit will get transferred to the list of undefended suit.

Notice of Motion accordingly disposed.

(K.R.SHRIRAM,J)