

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
NOTICE OF MOTION NO.344 OF 2017
IN
SUIT NO.918 OF 2015**

The Marathwada Society Chawl Committee
and Ors. ... Plaintiff
versus
Ramji Khimji Ghosar and Ors. ... Defendants

Mr. H.S.Ansari, for Plaintiff.

CORAM: S.J. KATHAWALLA, J.

DATE: 27th FEBRUARY, 2017

P.C.:

1. Perused the Notice of Motion and the Affidavit in support thereto. The Court has noted that when the above Suit was dismissed on 27-01-2017 not only none appeared for the Plaintiffs, but also none remained present for the Defendants. In view thereof, for reasons set out in the Affidavit in support of the Notice of Motion, the Notice of Motion is allowed in terms of prayer clause (a) which is reproduced hereunder :

“(a) That this Hon’ble Court be pleased to set aside impugned order of dismissal dated 27-01-2017 passed by this Hon’ble Court in the above mentioned suit being Exhibit A hereto and restored the above said matter to its original file for interest of justice;”

2. The above Notice of Motion is accordingly disposed of.

3. Place the Suit for Directions on 14-03-2017. A copy of this order shall be forthwith served on all the Defendants by hand delivery as well as by Speed Post A.D.

(S.J.KATHAWALLA,J.)