

ATUL

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
NOTICE OF MOTION (L) NO. 269 OF 2017
IN
SUIT (L) NO. 71 OF 2017

Haldiram (India) Pvt Ltd	...Plaintiffs
<i>Versus</i>	
Ashok Kumar Aggarwal & Ors	...Defendants

Mr Arif Bookwala, Senior Advocate, with Shyam Dewani, Pukhraj Deshpande, Akanksha H, Mr Pratik Thakkar, & Heena Kapoor, i/b Dewani & Associates, for the Plaintiffs.

Mr Pravin Samdani, Senior Advocate, with J Hussein, i/b Hussein & Co, for Defendants Nos. 1 to 3.

CORAM: G.S. PATEL, J
DATED: 7th March 2017

PC:-

1. After some arguments Mr Bookwala says on instructions that he does not press this Notice of Motion. He requests that the Suit, filed as a Commercial Suit under The Commercial Courts, Commercial Division and Commercial Appellate Division of High Courts Act 2015, be given priority. That can certainly be done.

2. As a gesture of goodwill since the hearing took some time this morning before the application for withdrawal of the Notice of

Motion, Mr Bookwala's clients offer to make a donation of Rs 1 lakh to the Tata Memorial Hospital. This is accepted. The amount of Rs 1 lakh as suggested by Mr Bookwala will be paid to the Tata Memorial Hospital within a period of two weeks from today. The Plaintiffs will be entitled to such tax deductions or exemptions on this amount as may be permissible in law.

3. The Notice of Motion is dismissed as withdrawn.

4. The Suit itself is expedited. On behalf of Defendants Nos. 1 to 3 Mr Samdani waives service of the Writ of Summons. For service on the remaining Defendants, the Registry will issue Writ of Summons on a priority basis. These will be served in accordance with the Schedule to the Commercial Courts Act 2015.

5. List the Suit for directions high on the supplementary board on 21st March 2017.

(G. S. PATEL, J.)