

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

**NOTICE OF MOTION NO.230 OF 2014
IN
SUIT NO.2493 OF 2012**

Rajender Singh Sethi and Anr.Applicants/Plaintiffs

Vs.

Punit Automobile and Anr.Defendants

Mr. Omprakash Pandey i/b. M/s. Pandey and Co. for applicants/plaintiffs.
Mr. P.V. Nichani for defendants.

CORAM : K.R.SHRIRAM, J.

DATE : 12th JUNE, 2017

PC.:

1 Mr. Pandey, counsel for applicants seeks leave to withdraw the notice of motion.

Notice of motion dismissed as withdrawn.

2 Mr. Nichani, counsel for defendants states that written statement is already filed in the registry. On 17th April, 2017, Prothonotary and Senior Master granted time of two weeks to defendants to pay cost of Rs.3,000/- and if paid, to file written statement by 19th July, 2017. Mr. Pandey states that without payment of cost, defendants could not have filed the written statement. Mr. Nichani is unsure whether this amount has been paid or not.

3 Therefore, if the amount of Rs.3,000/- is already paid, the registry to take on record the written statement of defendants, subject to

removal of office objections. If not paid, then defendants to pay a sum of Rs.2,000/- in addition to Rs.3,000/- imposed by the Prothonotary and Senior Master totaling to Rs.5,000/- as cost to plaintiffs and this amount to be paid on or before 13th June, 2017. Mr. Nichani states that this amount will be paid and he will also forward a copy of the written statement by tomorrow, i.e., 13th June, 2017.

4 In view of this statement made by Mr. Nichani, stand over to 11th July, 2017 for issues on which date parties to come with agreed draft issues and a separate list of issues on which they are unable to agree.

(K.R. SHRIRAM, J.)