

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

**NOTICE OF MOTION NO. 405 OF 2015
IN
SUIT NO. 210 OF 2015**

Kishore Kumar Maganmal Gajaria .. Plaintiff/Applicant
Vs.
Anilkumar Maganmal Gajaria &
Nirmalkumar Maganmal Gajaria .. Defendants

Mr.R.A. Shah a/w. Ms.Anchal Singh i/b Mansukhlal Hiralal & Co. for
plaintiff/applicant.

None for defendants.

**CORAM : K.R.SHRIRAM, J.
DATE : 27TH APRIL, 2017**

P.C.

1 Mr.Shah for the plaintiff/applicant states that the order passed on 16th
February 2015 be confirmed as order in the notice of motion and the notice
of motion could be disposed.

2 Nobody is present for the defendants though they had appeared at the
ad-interim stage.

3 The order dated 16th February 2015 is confirmed as order in the notice
of motion and the notice of motion accordingly disposed.

4 Shri Shah states that defendant no.1 has filed the written statement

and counterclaim and the plaintiff has filed written statement to the counterclaim. Defendant no.2, Mr.Shah states, has not filed written statement.

5 If defendant no.2 wishes to file written statement, the same to be filed within four weeks from today, failing which the suit will be transferred to the list of undefended suits as against defendant no.2 without further reference to the Court.

The plaintiff to forward a copy of this order to defendant no.2.

6 The suit be listed for directions on 9th June 2017.

(K.R. SHRIRAM, J.)