

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
NOTICE OF MOTION (L) NO.406 OF 2017
IN
SUMMONS FOR JUDGMENT NO.52 OF 2016
IN
SUMMARY SUIT NO.107 OF 2015**

Shree Sai Rent-A-Car Pvt. Ltd. ... Plaintiff/Applicant
versus
Sea Bird Tourist Centre ... Defendant

M/s. Siddiquee and Associates, for Plaintiff/Applicant.
Mr. R.J.Ghag, for Defendant.

**CORAM: S.J. KATHAWALLA, J.
DATE: 27th FEBRUARY, 2017**

P.C.:

1. Not on board. Upon mentioning, taken on board.
2. Perused the Notice of Motion and the Affidavit in support thereto. For reasons set out in the Affidavit in support of the Notice of Motion and in view of the undertaking given by the Plaintiff through its Advocates to pay to the Defendant within one week from today, Rs.10,000/- towards costs, the undertaking is accepted and , the Notice of Motion is allowed and the order dated 03-02-2017 dismissing the Summons for Judgment as well as Summary suit for want of prosecution is set aside and restored to file. The Notice of Motion is accordingly disposed of.
3. Place the Summons for Judgment for Directions on 1st March, 2017.

(S.J.KATHAWALLA, J.)