

(NMS 364 of 2014)

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

NOTICE OF MOTION No. 364 OF 2014

IN

SUIT No. 247 OF 2014

Mr. Shekhar Sumant Dadarkar
(Proprietor M/s. S D Constructions) ...Applicant/Plaintiff
Vs.
Aarey Bhaskar (Sports and
Welfare Centre) and Ors. ...Respondents

Mr. Vishal C. Ghosalkar for Plaintiff

Mr. H.B. Takke, AGP for Defendant No.8

CORAM : K.R. SHRIRAM, J.

DATE : JULY 10, 2017

P.C. :

1. This is a money suit. Defendant No.1 is a registered charitable trust and Defendant Nos.2 to 7 are the trustees. Defendant No.8 is the Charity Commissioner. There is not even an averment made in the plaint regarding grant of injunction under Order 39 Rule 5 of CPC. Notice of Motion is dismissed.

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2. Defendant No.8 is the Charity Commissioner and there is no relief sought against Defendant No.8. So far as Defendant Nos. 2 to 7 are concerned, suit is already transferred to undefended suit. Therefore, suit be transferred to list of undefended suits.

[K.R. SHRIRAM, J.]

Vaishali Tikan