

SHEPHALI

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
NOTICE OF MOTION NO. 500 OF 2014
IN
SUIT NO. 305 OF 2014**

Pembridge Associates Limited ...Plaintiff
Versus
Md Ashraf Ali Khan ...Defendant

**Mr Pranav Sampat, with Jaideep Singh Khattar i/b Khaitan and
Company for the Plaintiff.**
Mr Sushant S Prabhune, for the Defendant.

**CORAM: G.S. PATEL, J
DATED: 17th January 2017**

PC:-

1. On an application by the learned Advocate for the Plaintiff, the Suit is allowed to be withdrawn with liberty to file a fresh Suit on the same cause of action in a Court of competent jurisdiction.

2. In the facts and circumstances of the case, the Plaintiff agrees and undertakes not to move for any interim or ad-interim reliefs in such a fresh Suit without at least two weeks' clear notice to the Advocates for the Defendants.

3. The Plaintiff further agrees and undertakes that in any such fresh Suit, the claim will not exceed the claim made in this Suit; and, moreover, that any such fresh Suit will be filed and notice thereof shall be given to Mr. Prabhune no later than by 14th February 2017.

4. It is also clarified that all contentions including as to jurisdiction and limitation are specifically kept open.

(G. S. PATEL, J.)