

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
NOTICE OF MOTION NO.683 OF 2017
IN
CHAMBER SUMMONS (L) NO.1567 OF 2016
IN
SUIT NO.188 OF 2015**

The Board of Managers of the Association
of Apt. Owners of Banarasi Heritage ... Plaintiff
versus
M/s. Bairagra Builders Pvt. Ltd. & Ors. ... Defendants

Mr. Rohaan Cama i/by Ms. Shobha D. Mehra, for Plaintiff/Applicant.
Ms. Tally, for Defendants.

CORAM: S.J. KATHAWALLA, J.

DATE: 3rd MAY, 2017

P.C.:

1. Perused the Notice of Motion and the Affidavit in support thereto. The Notice of Motion is taken out for setting aside the order passed by the Prothonotary and Senior Master dated 18th October, 2016 for non-removal of office objections on or before 8th November, 2016. For reasons set out in the affidavit in support of the Notice of Motion, the order passed by the Prothonotary and Senior Master dated 18th October, 2016 is set aside and the Plaintiff is allowed to remove office objections and get the Chamber Summons numbered within a period of one week from today. At the time of hearing of the Chamber Summons, the Defendants shall be at liberty to contend that the Applicant/Plaintiff do not have locus/authority

to file the Chamber Summons which objection shall be heard on its own merits. The Notice of Motion is accordingly disposed of.

(S.J.KATHAWALLA, J.)