

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

**CHAMBER SUMMONS NO.1232 OF 2008
WITH
NOTICE OF MOTION NO.1956 OF 2008
IN
SUIT NO.1427 OF 1996**

M.R. Charities Pvt. Ltd.

....Plaintiff

Vs.

TCI & F of the Goud Saraswat Brahmin
Community of Bombay & Ors.

....Defendants

And

Vasudev P. Shetye and Ors.

....Respondents

Mr. S.G. Gokhale i/b. Mahesh Jani and Co. for applicant/plaintiff.
Mr. S. Rege i/b. Crawford Bayley and Co. for defendants.
None for respondents.

**CORAM : K.R.SHRIRAM, J.
DATE : 12th JULY, 2017**

PC.:

CHAMBER SUMMONS NO.1232 OF 2008

1 Further to the order dated 3rd July, 2017, Mr. Gokhale, counsel for plaintiff/applicant states that copy of the chamber summons was served again on respondent no.10 and when they went to serve on respondent no.12, service was refused. Mr. Gokhale states and rightly so that refusal of service is good service. Applicant has also filed an affidavit of service of one Vijay R. Kadam and Rahul R. Sharma affirmed on 11th July, 2017 to this effect.

2 Nobody is present for respondents and no reply has been filed either by defendants or respondents opposing the chamber summons. Infact defendants have been served the chamber summons way back in 2008.

3 In the circumstances, the chamber summons is allowed in terms of prayer clauses – (a) and (b) and accordingly disposed.

4 Amendment to be carried out to the notice of motion and copy of the amended notice of motion to be served within four weeks.

(K.R. SHRIRAM, J.)