

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

**NOTICE OF MOTION NO. 35 OF 2014
IN
SUIT NO. 940 OF 2013**

Subhash Narayan Chavan & Ors. Plaintiffs
Vs.
Rajaram Narayan Chavan & Anr. .. Defendants

Mr. Vishal C. Ghosalkar for plaintiffs/applicants.

Mr. Kandarkar Abhijeet Jayant for defendant no.1.

**CORAM : K.R.SHRIRAM, J.
DATE : 23RD JANUARY, 2017**

P.C.

1 Shri Ghosalkar, for the plaintiffs/applicants seeks leave to withdraw the notice of motion.

2 The notice of motion dismissed as withdrawn.

3 The counsel further states that all the defendants have filed written statement. The counsel also states that the main contesting party is defendant no.1 who has filed the written statement. Defendant no.2 is only a formal party.

4 Therefore, the suit be listed on 21st February 2017 for issues.

In the meanwhile, parties to file their respective affidavits of documents, complete discovery and inspection and also exchange statements of admission and denial with reasons for denial.

On the next date, parties to come with agreed draft issues and a separate list of draft issues on which they are unable to agree.

Parties are put to notice that if they do not comply with these directions strictly and meticulously, the parties will be put to terms including being saddled with substantial cost.

(K.R. SHRIRAM, J.)