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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.11655 OF 2018

Shailesh C. Mahimtura	...Petitioner
V/s.	
NirmalLifestyle Ltd. & Ors.	...Respondents

Mr.Swanand Ganoo with Mr.Amit Mehta and Mr.Navin Bhatia I/b
Shane Cardoz for the Petitioner.

Mr.Vivek Salunke with Mr.Vishal Jathar I/b MDP & Partners for the
Respondents.

CORAM : R.D. DHANUKA, J.
DATE : 19TH OCTOBER, 2018.

P.C. :-

1. Learned counsel appearing for the parties have no objection if the Notice of Motion No.2648 of 2018 filed by the respondents (original defendants) before the learned Trial Court in Summary Suit No.533 of 2018 seeking condonation of delay in filing the Vakalatnama is allowed. The statement is accepted.

2. The said notice of motion is accordingly allowed. The delay in filing the Vakalatnama by the original defendants is condoned. The defendants are directed to file the reply to the summons for judgment within ten days and shall serve a copy thereof upon the petitioner's advocate simultaneously. It is made clear that

no further extension of time would be granted. Rejoinder, if any, shall be filed within one week from the date of service of the affidavit in reply and a copy thereof shall be served upon the defendants' advocate simultaneously.

3(a). The impugned orders passed by the learned Trial Judge on 6th September, 2018, 7th September, 2018 and 17th September, 2018 are quashed and set aside.

(b). Learned Trial Judge is directed to hear and dispose of the Summons for Judgment (No.222 of 2018) filed by the petitioner within four months from the date of completion of pleadings. No party shall ask for any unnecessary adjournment before the learned Trial Judge.

4 The writ petition is disposed of in aforesaid terms. There shall be no order as to costs.

5. All the parties as well as the learned Trial Court to act on the authenticated copy of this order.

Vasant
Anandrao Idhol

Digitally signed by Vasant
Anandrao Idhol
Date: 2018.10.22 17:17:21
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(R.D. DHANUKA, J.)