

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

**SUMMONS FOR JUDGMENT NO.2 OF 2018
IN
COMMERCIAL SUMMARY SUIT NO.779 OF 2017**

Vinod Lalji Nandu of Mumbai And
Others

... Plaintiffs

Versus

Mohammad Imtiaz Yunus Khan
And Others

... Defendants

.....

Mr. Rohan Kelkar a/w Ms. Gargi Bhagwat I/b Divekar Bhagwat And Co. for
the Plaintiffs.

....

CORAM : S.C.GUPTE, J.

DATE : 26 MARCH 2018

P.C. :

. None appears for the Defendants. Even on the last occasion, i.e. 12 March 2018, none had appeared for the Defendants. The Summons for Judgment was duly served on the Defendants on 22 January 2018. An affidavit in proof of such service has been duly filed by the Plaintiffs in the Registry. Despite such service, no application for leave to defend has been filed by the Defendants. The Plaintiffs are entitled for judgment under clause (a) of sub-rule (6) of rule 3 of Order 37 of Code of Civil Procedure. The Summons for Judgment is accordingly made absolute. There will be a decree in terms of prayer clause -(a) of the plaint.

(S.C. GUPTE, J.)