

Atul

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
NOTICE OF MOTION NO. 361 OF 2017
IN
SUIT NO. 2410 OF 1995

The Industrial Finance Corpn of India Ltd ...Plaintiff
Versus
Jayant Vitamins Ltd ...Defendants

Ms Gauri Joshi, i/b Apex Law Partners, for the Plaintiff.
Ms Diksha Shetty, with Bhavesh Panjuani, i/b M/s. Mulla & Mulla
and Craigie Blunt & Caroe, for the Defendant.

CORAM: G.S. PATEL, J
DATED: 11th December 2018

PC:-

1. At the request of the Plaintiff and for the reasons set out in the Affidavit in Support, and only by way of an indulgence the order dated 22nd December 2016 dismissing the suit for non-prosecution is recalled and the suit is restored to file.
2. The Notice of Motion is made absolute in these terms. No order as to costs.
3. It is made clear to the Plaintiff that should the suit be dismissed for non-prosecution for a second time, it will not

thereafter be restored under any circumstances either on payment of costs.

4. Meanwhile, the Advocates for the Defendant say that they are unable to obtain instructions. They will file a necessary Chamber Order for discharge as required by the Rules.

5. List the suit for directions on 16th January 2019.

(G. S. PATEL, J)