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

**NOTICE OF MOTION NO.381 OF 2018
IN
SUIT NO.486 OF 2016**

Ramchandra Kashinath Taldeokar And 52 Ors. ...Plaintiffs

vs

Mahadeo Hiraji Dhule And 6 Ors. ...Defendants

.....

Mr. Sagar Joshi, for the Applicant/Original Defendant No.7.

.....

CORAM : S.C. GUPTE, J.

DATED : 13 MARCH, 2018

P.C. :

. This notice of motion seeks condonation of delay of 95 days in filing written statement and recall of a self-operative order of transferring the suit to the list of undefended suits for non-filing of such written statement. The delay is explained in the affidavit in support of the notice of motion. The notice of motion has been duly served on the Plaintiffs through their Advocates. The reply is filed. However, none appears on behalf of the Plaintiffs to show cause. For the reasons stated in the affidavit in support of the notice of motion, the self-operative order of Prothonotary dated 11 July 2017 is recalled and set aside and the delay is condoned. Defendant No.7 is permitted to file written statement within three weeks from today, failing which the suit shall stand transferred to the list of undefended suits against Defendant No.7. It is clarified that this order pertains only to Defendant No.7 and does not, in any way, disturb the order of transferring the suit to the list of undefended suits as regards the other Defendants. The notice of motion is disposed of.

(S.C. GUPTE, J.)