

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

SUIT NO.4714 OF 1993

WITH

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IN

SUIT NO.4714 OF 1993

Smt. H.S. Shah and Ors.

....Plaintiffs

Vs.

M/s. Rajni Constructions & Developers & Ors.

....Defendants

Mr. Kamlesh Shah, authorised representative of plaintiffs present.

Mr. Nawaz Haindaday I/b. Mr. Arshad Haindaday for defendant nos.1,3,5 and 6.

CORAM : K.R.SHRIRAM, J.

DATE : 25th OCTOBER 2018

P.C.:

1 On 12th September 2017 after the issues were framed, the following directions were given and the same read as under :

3. On or before 10.10.2017-parties to file their respective affidavit of documents ;

On or before 24.10.2017-parties to give inspection of documents and also exchange statement of admission and denial with reasons for denial ;

On or before 15.11.2017-plaintiffs to file a list of witnesses, affidavit in lieu of examination-in-chief of their 1st witness together with compilation of documents and serve a copy thereof upon the defendants.

4. Stand over to 20.11.2017 at 3.00 P.M. for recording of evidence/ marking of documents at which time plaintiffs' 1st witness shall remain present in Court.

2 Mr. Haindaday, counsel for defendant nos.1,3,5 and 6 states that though his clients filed their affidavit of documents and given notice to plaintiffs for inspection, nobody came forth to take inspection.

Mr. Haindaday states that he has not received any affidavit of documents or evidence affidavit or compilation of documents from plaintiffs or even a notice to take inspection.

3 One Mr. Kamlesh Shah, who is present in Court states that he is the authorised representative of plaintiffs and admits that none of the directions given on 12th September 2017 has been complied with.

4 Therefore, suit dismissed for want of prosecution. All other applications pending in this suit also stand disposed accordingly.

(K.R. SHRIRAM, J.)