

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

NOTICE OF MOTION NO.571 OF 2014

IN

SUIT NO.2099 OF 1995

M/s. Choudhary and Choudhary (India) LimitedApplicant/Plaintiff

Vs.

Municipal Corporation of Greater BombayDefendant

Mr. Yogendra Rao I/b. Dipashri Raorane for applicant/plaintiff.

Mr. H.C. Pimple for defendant.

CORAM : K.R.SHRIRAM, J.

DATE : 30th OCTOBER 2018

P.C.:

1 The affidavit in support of the notice of motion has a blank. In paragraph 1 it is stated “I have been empowered by the Plaintiff Company vide Resolution dated _____ to depose on behalf of the Plaintiff”. No resolution is annexed. Secondly, in paragraph 4 it is stated “I say that the aforesaid matter was listed before this Hon'ble Court Coram Patel on 6/2/2014”. The least applicant should have done is, after the word “Patel”, put the word “J.” if not the entire description as Hon'ble Mr. Justice G.S. Patel. Moreover, I am not satisfied with the explanation given in the affidavit in support.

2 Notice of motion dismissed.

(K.R. SHRIRAM, J.)