

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

COMMERCIAL SUIT NO.78 OF 2013

Ajay G.Vijan .. Plaintiff
vs
Allcargo Global Logistics Limited .. Defendant

None for Plaintiff
Mr.Nirav Barot I.b M/s Maneksha & Sethna for Defendant

Coram : S.C.GUPTE, J
Date : 20th APRIL, 2018

P.C

This Chamber Summons appeared on 31.1.2018, 1.3.2018, and 22.3.2018. The plaintiff was absent on all three occasions. This Court allowed the defendant to file its written statement, by an order dated 31.1.2018. The defendant thereafter filed its written statement. The same has been noted in the order dated 1.3.2018. By this order, the suit was stood over for framing of issues. Even on next date, i.e. on 22.3.2018, when the suit was taken up for issues, none appeared for plaintiff. The Court, nevertheless, proceeded to settle the issues. The order of 22.3.2018 directs the

parties to file their respective affidavits and compilations and complete inspection within a period of four weeks.

2. In view of the continued absence of the plaintiff, the Court also directed notice to be issued to the plaintiff, communicating the next date of hearing. There is a report of service from the Registry which shows that this notice could not be served. The envelope of service was returned with the remark "left".

3. In the premises, this Court is of the view that there is no point in adjourning the matter any further. The plaintiff does not appear to be interested in prosecuting the suit. The commercial suit, in the premises, is dismissed for want of prosecution.

(S.C.GUPTE, J)