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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

COMMERCIAL SUIT NO.55 OF 2013

Creative Peripherals And Distribution P. Ltd. ...Plaintiff

vs

Ravindra Dekhne ...Defendant

.....

Mr. Ganesh Lambade, i/b. Prem S. Gidwani, for the Plaintiff.

None for the Defendant.

.....

CORAM : S.C. GUPTE, J.

DATED : FEBRUARY 28, 2018

P.C. :

. Heard learned Counsel for the Plaintiff. This commercial suit is filed under Order 37 of the Code of Civil Procedure. There was an order of conditional leave to defend against the Defendant passed on a summons for judgment. Since the Defendant has not complied with that order of conditional leave to defend, the Plaintiff prays for a decree in accordance with Order 37 sub-rule (3) of Rule 2 of Code of Civil Procedure. Learned Counsel for the Plaintiff tender a certificate of non-deposit issued by Prothonotary & Senior Master. Learned Counsel also tenders a compilation of documents in support of his case. Documents need not be considered, since this is a case of decree under Order 37 Rule 2(3). Since the Defendant has not complied with the condition of leave to defend, the commercial suit is decreed in terms of prayer clause (a).

(S.C. GUPTE, J.)