

cheque drawn in favour of the advocate on record for plaintiff and this amount to be paid within two weeks from today.

4 Notice of motion accordingly stands disposed.

5 It is made clear that if the cost is not paid, written statement will struck off without further reference to this Court and the suit be then listed as an undefended suit before the appropriate Court.

6 If the cost is paid, then the following directions will be effective :

(a) parties to file their respective affidavit of documents and serve a copy thereof upon the other side on or before 12th January 2019, failing which parties will not be permitted to rely on any document, copy whereof is not annexed to the plaint and/or written statement or mentioned in the list of documents annexed to the plaint and/or written statement;

(b) inspection to be given and statement of admission and denial with reasons for denial to be exchanged by 19th January 2019. If the statement of admission and denial is not given, parties shall be deemed to have admitted the existence of all the documents of the other side. If inspection is not given, such party will not be permitted to rely on any document.

7 Suit be listed for issues on 23rd January 2019 on which date parties shall come with agreed draft issues and a separate list of issues on which they are unable to agree. On the next date, if parties do not come with draft issues, they are put to notice that parties will be put to terms.

LEAVE PETITION NO.288 OF 2016

- 1 Mr. Bharucha seeks leave to withdraw the petition.
- 2 Petition dismissed as withdrawn.

(K.R. SHRIRAM, J.)