

Shailaja

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
NOTICE OF MOTION NO. 1249 OF 2017
IN
SUIT NO. 1754 OF 1994

Abdul Kader Haji Noormohammed & Ors	...Applicants
<i>In the matter between</i>	
G Premjee Trading Pvt Ltd	...Plaintiff
<i>Versus</i>	
Abdul Kader Haji Noormohammed & Ors.	...Defendants

Ms Nikita Vardhan, *i/b Kanga & Co., for the Plaintiff/Applicant in Suit No. 1754 of 1999 and Chamber Summons No. 1026 of 2017.*
Mr Piyush Raheja, *a/w Mr R Jain, Ms Jyoti Ghag i/b Thakore Jariwala, for the Defendants Nos. 1 and 3*
Mr Ryan Menezes, *i/b Jhangiani Narula Associates, for Defendants Nos. 4 to 6.*

CORAM: G.S. PATEL, J
DATED: 12th January 2018

PC:-

1. This Notice of Motion is filed by Defendants Nos. 1 to 3 seeking recall of an order dated 23rd June 2017. By that order, Shriram J said that since these Defendants had not filed their Affidavit of Documents and Compilation within the time earlier stipulated, they would not be permitted to rely on documents other

than those annexed to the Written Statement or referred to the in list of Documents annexed to that Written Statement.

2. I will grant relief on condition that Defendants Nos. 1 to 3 file their Affidavit of Documents and Compilation by 5.30 p.m today in the Registry today and serve copies on the Advocates for all other parties. In default, the order of Shriram J will stand and the Affidavit of Documents and Compilation of Defendants Nos.1 to 3 will not be taken on record.

3. The Notice of Motion is disposed of in these terms.

(G. S. PATEL, J)