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

NOTICE OF MOTION NO.1965 OF 2016
IN
CHAMBER SUMMONS NO.883 OF 2011
IN
SUIT NO.1622 OF 2003

Rashid A. Siddiqui ...Plaintiff
vs
Anvar A. Hussain ...Defendant

.....

Mr. Ajit Shobhawat, for the Applicant.

None for the Defendant.

....

CORAM : S.C. GUPTE, J.

DATED : 02 FEBRUARY 2018

P.C. :

. This Notice of Motion is taken out for recall of a dismissal order passed in the Chamber Summons taken out in the suit. There is a delay of 5 days in taking out the present Notice of Motion. The delay is explained in paragraphs 3 and 4 of the affidavit in support of the Notice of Motion. On the grounds stated in the affidavit in support, a case for restoration of the Notice of Motion is made out. This Notice of Motion is duly served on the Defendant. However, none appears for the Defendant. Learned Counsel for the Applicant states that an affidavit in proof of service shall be filed within two weeks from today. In the premises, the Notice of Motion is made absolute in terms of prayer clauses (a) and (b). The Chamber Summons is restored to file. The Notice of Motion is disposed of.

(S.C. GUPTE, J.)