

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

CHAMBER SUMMONS NO.930 OF 2017

IN

SUIT NO.337 OF 2017

Sunil Sudhakar DandawateApplicant/Plaintiff

Vs.

JSW Steel Limited and Ors.Defendants

None for plaintiff.

Ms. Kinjal Patil I/b. Converse Law LLP for defendants/applicant in
CHS/930/2017.

CORAM : K.R.SHRIRAM, J.

DATE : 26th NOVEMBER 2018

P.C.:

1 This chamber summons is taken out by defendant no.1 under Order VII Rule 11 (a) of the Code of Civil Procedure 1908 for non disclosure of cause of action.

2 Plaintiff was an employee of defendant no.1. Defendant no.2 and defendant no.3 are employees of defendant no.1. According to plaintiff, defendants harassed him to such an extent that he was compelled to resign from the job. According to plaintiff, he was harassed by defendants for more than one year and due to unbearable harassment plaintiff had no other alternative but to submit his resignation under duress and involuntarily. According to plaintiff, defendant no.1 company is responsible for loss of plaintiff's job and has illegally and unfairly caused depression, mental agony and further loss of income for the next 10 years. The cause of action has been disclosed in paragraphs 25 and 26 of the plaint.

3 In the circumstances, chamber summons taken out cannot survive. Chamber summons dismissed. As no reply has been filed and nobody is appearing for plaintiff, I am not imposing cost.

4 Defendants to file written statement and serve a copy thereof on or before 17th December 2018, failing which the suit will stand decreed without further reference to this Court.

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1 Pleadings in the suit are completed. Therefore, the following further directions are passed :

(a) parties to file their respective affidavit of documents and serve a copy thereof upon the other side on or before 5th 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 12th 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.

2 Suit be listed for issues on 16th 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.

(K.R. SHRIRAM, J.)