

Arun

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
IN ITS COMMERCIAL DIVISION
SUMMONS FOR JUDGMENT NO.81 OF 2018
IN
COMM SUMMARY SUIT NO. 612 OF 2018**

Nainesh Mahendra Gandhi ...Plaintiff
Versus
Mahaveer Corporation & Ors ...Defendants

**WITH
CHAMBER SUMMONS (L) NO. 1799 OF 2018
IN
COMM SUMMARY SUIT NO. 612 OF 2018**

Pinakin D Shah ...Applicant
In the matter between
Nainesh M Gandhi ...Plaintiff
Versus
Mahaveer Corporation & Ors ...Defendants

Dr Birendra Saraf, i/b Vijay S Sharma, for the Plaintiff/Applicant.
Mr Mayur Khandeparkar, with Mr Manish Doshi, i/b Vimadalal &
Company, for Defendants Nos. 1, 2, 3 and 5.
Ms Vidya Nair, with Mr Ruchi Khajanchi, i/b Dhiren H Shah, for
Defendant No.4 & Applicant in CHSL/1799/18.

CORAM: G.S. PATEL, J
DATED: 13th December 2018

PC:-

1. On instructions from the Plaintiff received this morning Dr Saraf does not press for a summary judgment. He requests that directions will be passed in the Suit for filing of a Written Statement at an early date and, if possible, a schedule be fixed for the completion of pre-trial formalities. The suggestion is reasonable.
2. The Defendants will file and serve their Written Statements on or before 25th January 2019. Both sides will file their Affidavits of Document and Compilation of Documents on or before 1st February 2019.
3. Inspection is to be completed and statements of admission and denial are to be exchanged on or before 8th February 2019.
4. List the Suit for framing issues and further directions on 15th February 2019.
5. It is clarified that there is no assessment on the merits of the case.
6. The Summons for Judgement is disposed of in these terms.
7. The Chamber Summons (L) No. 1799 of 2018 is infructuous and is disposed of accordingly.

(G. S. PATEL, J)