

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

CHAMBER ORDER NO.1467 OF 2017

IN

SUIT NO.717 OF 2013

Puthenveedu Joseph Mathew ... Plaintiff
versus
Kurian Tomas and Ors. ... Defendants

Ms. Nishitha Shankaran i/by Mr. E.A.Sasi, for Plaintiff.
Mr. Sandeep Bhimchal i/by M/s. DSR Legal, for Defendant No.2.
Mr. Pramod Tambe, for Defendant No.3.
Ms. Zainab R. Shaikh, Defendant No.3 present.

CORAM: S.J. KATHAWALLA, J.

DATE: 4th JANUARY, 2018

P.C.:

1. The above Chamber Order is taken out by the Applicant/Defendant No.3 for setting aside the order passed by the Prothonotary and Senior Master dated 4th August, 2017, directing the Suit against Defendant No.3 to be transferred to the list of undefended Suits. The Advocate for Defendant No.3 states that the Written Statement of Defendant No.3 is ready. The Advocate for the Plaintiff opposes any relief being granted in favour of Defendant No.3.

2. For reasons set out in the Affidavit in support of the Chamber Order and in view of the admitted fact that the Plaintiff has till date not served the Defendant No.1

with the Writ of Summons in the Suit, the Written Statement of Defendant No.3 is taken on record and the order dated 4th August, 2017 is set aside. The Chamber Order is accordingly disposed off.

(S.J.KATHAWALLA,J.)